

WORK SESSION: A work session will be held at 6:00 p.m. in Conference Room #3, Second Floor, of the Farmington City Hall, 160 South Main Street. The work session will be to answer any questions the City Council may have on agenda items. The public is welcome to attend.

FARMINGTON CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is hereby given that the City Council of **Farmington City** will hold a regular City Council meeting on **Tuesday, April 19, 2016, at 7:00 p.m.** The meeting will be held at the Farmington City Hall, 160 South Main Street, Farmington, Utah.

Meetings of the City Council of Farmington City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

The agenda for the meeting shall be as follows:

CALL TO ORDER:

7:00 Roll Call (Opening Comments/Invocation) Pledge of Allegiance

PRESENTATIONS/RECOGNITIONS:

7:05 Introduction of new Police Officer/Administration of Oath of Office

7:10 Recognition of MaryAnn Jones for 10 Years of Dedicated Service at the Police Department

7:15 Presentation of "Award of Top Shooter"

PUBLIC HEARINGS:

7:20 Pheasant Hollow Schematic Plan

7:30 Farmington Greens Conservation Easement Amendment Request

NEW BUSINESS:

7:40 Revisions to the Management Plan for Conservation Easements

SUMMARY ACTION:

8:00 Minute Motion Approving Summary Action List

1. License Agreements: Wood and Anderson
2. Arbor Day Proclamation
3. Approval of Minutes from March 15, 2016

4. Meadow View Phase II Improvements Agreement
5. Farmington Park Phase III Final Plat
6. Meadows at City Park Phase II Final PUD Master Plan

8:05 City Council Committee Reports

GOVERNING BODY REPORTS:

8:15 City Manager Report

1. Executive Summary for Planning Commission held March 10, 2016
2. Executive Summary for Planning Commission held March 17, 2016
3. Executive Summary for Planning Commission held April 7, 2016
4. Fire Monthly Activity Report for March
5. Hiring of City Lobbyist on Trial Basis
6. Complaints on Deer Population - DWR Work Session Dates
7. Cabelas Grand Opening – April 21st at 10am

8:30 Mayor Talbot & City Council Reports

ADJOURN

CLOSED SESSION

Minute motion adjourning to closed session, if necessary, for reasons permitted by law.

DATED this 14th day of April, 2016.

FARMINGTON CITY CORPORATION

By:  _____
Holly Gadd, City Recorder

***PLEASE NOTE:** Times listed for each agenda item are estimates only and should not be construed to be binding on the City Council.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting, should notify Holly Gadd, City Recorder, 451-2383 x 205, at least 24 hours prior to the meeting.

CITY COUNCIL AGENDA

For Council Meeting:
April 19, 2016

S U B J E C T: Roll Call (Opening Comments/Invocation) Pledge of Allegiance

It is requested that City Councilmember Brigham Mellor give the invocation to the meeting and it is requested that Mayor Jim Talbot lead the audience in the Pledge of Allegiance.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
April 19, 2016

S U B J E C T: Introduction of new Police Officer/Administration of Oath of Office

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

Wayne Hansen will introduce Giancarlo Candiotti, the new Police Officer. Holly Gadd will perform the administration of the Oath of Office.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
April 19, 2016

S U B J E C T: Recognition of MaryAnn Jones for 10 Years of Dedicated Service at the Police Department

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

Wayne Hansen will be making this presentation.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
April 19, 2016

S U B J E C T: Presentation of "Award of Top Shooter"

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

Wayne Hansen will be recognizing Cory Ritz and Katie Anderson.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
April 19, 2016

PUBLIC HEARING: Pheasant Hollow Schematic Plan

ACTION TO BE CONSIDERED:

1. Hold the public hearing.
2. See staff report for recommendation.

GENERAL INFORMATION:

See enclosed staff report prepared by Eric Anderson.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Eric Anderson, Associate City Planner

Date: April 8, 2016

SUBJECT: **Pheasant Hollow Schematic Plan**
Applicant: **Russell Wilson – Symphony Homes**

RECOMMENDATION

- 1) Hold a public hearing;
- 2) Move that the City Council approve the schematic plan subject to all applicable Farmington City ordinances and development standards and the following condition that the applicant shall provide a reciprocal access easement and private street for Lots 6, 7, 8, and 9 and have this easement recorded against the property prior to final plat.

Findings for Approval:

1. As part of a previous approval, the applicant has provided geotech reports that exceed what is normally required for a subdivision of this size.
2. The decrease in density, and removal of the cul-de-sac road is preferable due to the potential impact from poor soils and topographic issues.
3. The bridging of the 700 South gap is beneficial to the City and provides much needed east-west connection, and will help alleviate pressures on 620 South, Glover Lane, and 450 South.
4. Although the applicant is utilizing the alternative lot size, he is not requesting any TDRs to meet that minimum standard.
5. The densities requested are comparable or exceed those of surrounding neighborhoods, and by clustering the smaller lots along 700 South and placing the larger lots interior to the project, the subdivision is context sensitive to the area.
6. The private street allows the developer reduced density which is better for the soils types in the area, higher density results in greater storm water runoff which may also exasperate these soil types, meanwhile lower density that is proposed by the applicant results in less storm water runoff.
7. The private street will assist Central Davis Sewer District in terms of the sewer line's location and accessible manholes.

BACKGROUND

The applicant, Symphony Homes, is requesting schematic plan approval for a 10-lot subdivision on property located at approximately 700 South and 50 East on 4.55 acres of property. The underlying zone for this property is an R zone.

This property has previously been in front of the Planning Commission and City Council on several occasions with several different layouts. At the last public hearing on this property, October 22, 2015, the applicant received preliminary plat approval for a 15 lot subdivision. As the applicant began to prepare improvement drawings as part of the final plat submission, they realized that the cost of building the cul-de-sac road would likely make that development, as approved through preliminary plat, to be cost prohibitive. As a result, the applicant has now reconfigured the site and submitted a new application with a new subdivision layout. The original layout along the proposed 700 South connection has been retained with 4 lots, however, the rest of the schematic plan is different than the previous application.

Currently, 700 South has an unfinished gap between 200 East and 50 West. The proposed development would bridge this gap and create a local road connector between these two segments. The finished road would add to the connectivity between 200 East and the Frontage Road, particularly, it would alleviate some of the east to west traffic of 620 South.

There are delineated wetlands over a significant portion of the property, and these wetlands are constrained land that will either have to be mitigated or not built on. The yield plan shows that 10 lots can be constructed, in spite of the limitations caused by the wetlands. While the yield plan in the R zone can go down as small as 8,000 s.f., the applicant has provided a yield plan showing the conventional lot size minimum, or 16,000 s.f. Because the schematic plan is proposing the same number of lots as that on the yield plan (i.e. under a conventional subdivision), the applicant can utilize the alternative lot size provision in Chapter 11 of the Zoning Ordinance without completing a transfer of development rights (TDR) with the City, i.e. the density has not increased. However, the applicant has proposed 6 of the 10 lots as being smaller in area than the conventional requirement of 16,000 s.f. (Lots 1-4, 5, and 10); under the alternative lot size provision of Chapter 11, the minimum lot size is 8,000 s.f., which the proposed schematic plan meets.

Originally, the applicant proposed two flag lots on the north end of the subdivision (Lots 7 and 8) the stems of which were side by side. In such cases, the ordinance allows the property owners to reduce their respective stem widths from 28' to 20'. The developer also proposed that both flag lots be served by one driveway with a reciprocal access easement to ensure dual use of a common drive in the future. However, Section 12-7-030(10)(b)(viii) states "a stem shall service one lot only." Therefore, in order for Lot 9 to have been conforming, the Planning Commission would have needed to grant approval of a special exception as outlined in 11-3-045 for the shared access, and the applicant would have also needed to obtain a variance approval from the Board of Adjustments for the two flag lots to share a stem. As a solution to these issues, the applicant proposed an alternative schematic plan, which was recommended for approval by the Planning Commission and is the plan under review tonight. The changed plan has removed the flag lots and made Lots 6, 7, 8, and 9 accessed by a private road. The private road will need to be built to the City's vertical standards, as per Section 12-7-030.

Lot 9 fronts 700 South, but due to existing wetlands on-site the applicant is proposing access to the lot via the private road; this is allowed under Section 11-32-106(1)(e) which states:

"Driveways shall have direct access to a public street for a building lot. Subject to satisfaction of the provisions of Section 11-3-045 of the City Zoning Ordinances and

the grant of a special exception, direct access for a building lot may include access over one adjacent building lot provided both building lots have full frontage on a public street, an access easement has been recorded acceptable to the City, and the full face of any dwelling unit located on both building lots fronts or is fully exposed to the public street."

Lot 6 and 8 are only required to have 37.5' of frontage on a private street, or 50% of the required 75' in the R zone, as outlined in Section 12-7-030(2) that states:

"All lots or parcels created by the subdivision shall have frontage on a dedicated street, improved to standards hereinafter required, equal to at least fifty percent (50%) of its minimum required width except for flag lots which shall have a minimum of twenty-eight feet (28') of frontage. Private streets shall not be permitted unless the Planning Commission finds that the most logical development of the land requires that lots be created which are served by a private street or other means of access, and makes such findings in writing with the reasons stated therein."

The Planning Commission determined that the private street in this case made more sense than the back-to-back flag lots, and did approve the private streets as an alternative means of access. All other lots within the subdivision conform to the requirements as outlined in Chapter 11 of the Zoning Ordinance which regulates the R zone.

Supplemental Information

1. Vicinity Map
2. Schematic Plan
3. Schematic Plan Dated 2.5.2016 (with Two Flag Lots)

Applicable Ordinances

1. Title 11, Chapter 7 – Site Development Standards
2. Title 11, Chapter 11 – Single Family Residential Zones
3. Title 11, Chapter 12 – Conservation Subdivisions
4. Title 11, Chapter 28 – Supplementary and Qualifying Regulations
5. Title 12, Chapter 6 – Major Subdivisions
6. Title 12, Chapter 7 – General Requirements for all Subdivisions

Respectfully Submitted



Eric Anderson
Associate City Planner

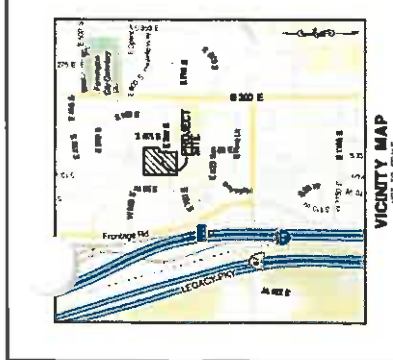
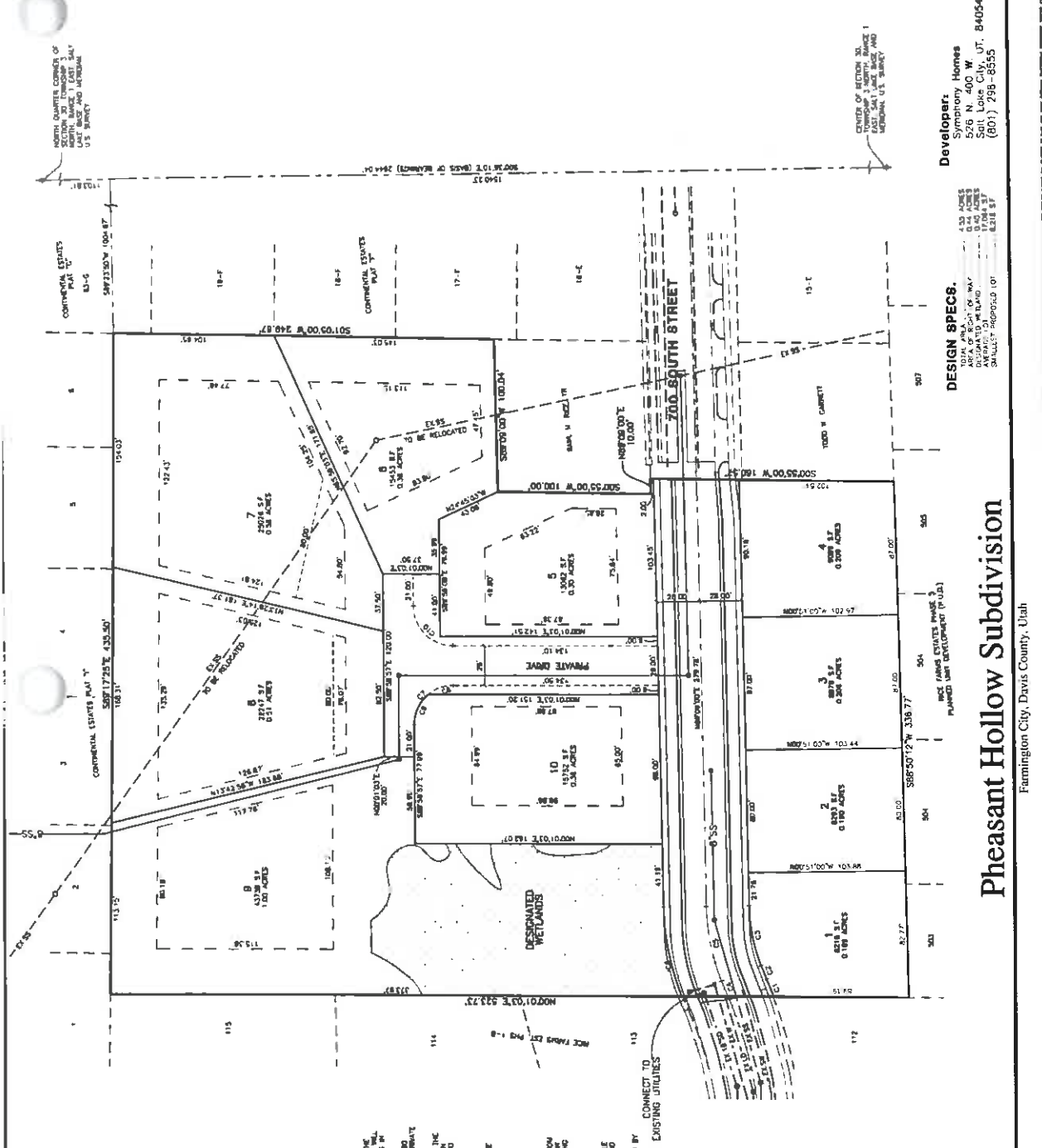
Review and Concur



Dave Millheim
City Manager

Farmington City





NOTES.

1. DRAINAGE AND STORMWATER IS AVAILABLE AT THE CURB DRAIN IN THE EAST AND WEST ON 700 SOUTH, COLUMBIA AND SECOND AVENUES. THE DEVELOPER AND CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF THE DRAINAGE AND STORMWATER SYSTEMS. THE DRAINAGE AND STORMWATER SYSTEMS SHALL BE INSTALLED THROUGH THE PROPERTY. THE DRAINAGE AND STORMWATER SYSTEMS SHALL BE INSTALLED THROUGH THE PROPERTY. THE DRAINAGE AND STORMWATER SYSTEMS SHALL BE INSTALLED THROUGH THE PROPERTY.
2. THERE IS AN EXISTING 8" SANITARY SEWER LINE RUNNING FROM THE DEVELOPMENT AND THE 100 SOUTH. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF THE DRAINAGE AND STORMWATER SYSTEMS. THE DRAINAGE AND STORMWATER SYSTEMS SHALL BE INSTALLED THROUGH THE PROPERTY.
3. A 25 FOOT DEEP ASPHALT DRIVEWAY WITH TYPICAL DRIVEWAY SPACES AND DRIVEWAY SPACES SHALL BE INSTALLED IN THE DEVELOPMENT AND THE 100 SOUTH.
4. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF THE DRAINAGE AND STORMWATER SYSTEMS. THE DRAINAGE AND STORMWATER SYSTEMS SHALL BE INSTALLED THROUGH THE PROPERTY.
5. THERE IS NO FLOOD PLAIN AFFECTING THE DEVELOPMENT.
6. WATER RESOURCES FOR THE EXISTING WATER TO BE PROVIDED FOR THE DEVELOPMENT SHALL BE PROVIDED FOR THE DEVELOPMENT. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF THE DRAINAGE AND STORMWATER SYSTEMS. THE DRAINAGE AND STORMWATER SYSTEMS SHALL BE INSTALLED THROUGH THE PROPERTY.
7. DEVELOPMENT WILLING TO BE OWNED AND MAINTAINED BY LOT 9.
8. PERMIT TO THE 100 SOUTH (LOT 9) AND 100 SOUTH (LOT 9) SHALL BE INSTALLED WITH THE DEVELOPMENT. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF THE DRAINAGE AND STORMWATER SYSTEMS. THE DRAINAGE AND STORMWATER SYSTEMS SHALL BE INSTALLED THROUGH THE PROPERTY.
9. DRAINAGE SYSTEM ON LOT 9 AND 100 SOUTH SHALL BE INSTALLED WITH THE DEVELOPMENT AND MAINTAINED BY THE LOT OWNERS.
10. PROPERTY IS CURRENTLY UNDEVELOPED AND GROUND.
11. PROPERTY IS CURRENTLY ZONED R.



R.A. Associates, Inc.
 10000 Wilshire Blvd., Suite 1000
 Beverly Hills, CA 90210
 (310) 276-1000

Phasant Hollow Subdivision
 REMINGTON CITY, DAVIS COUNTY, UTAH
Schematic Exhibit

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1997

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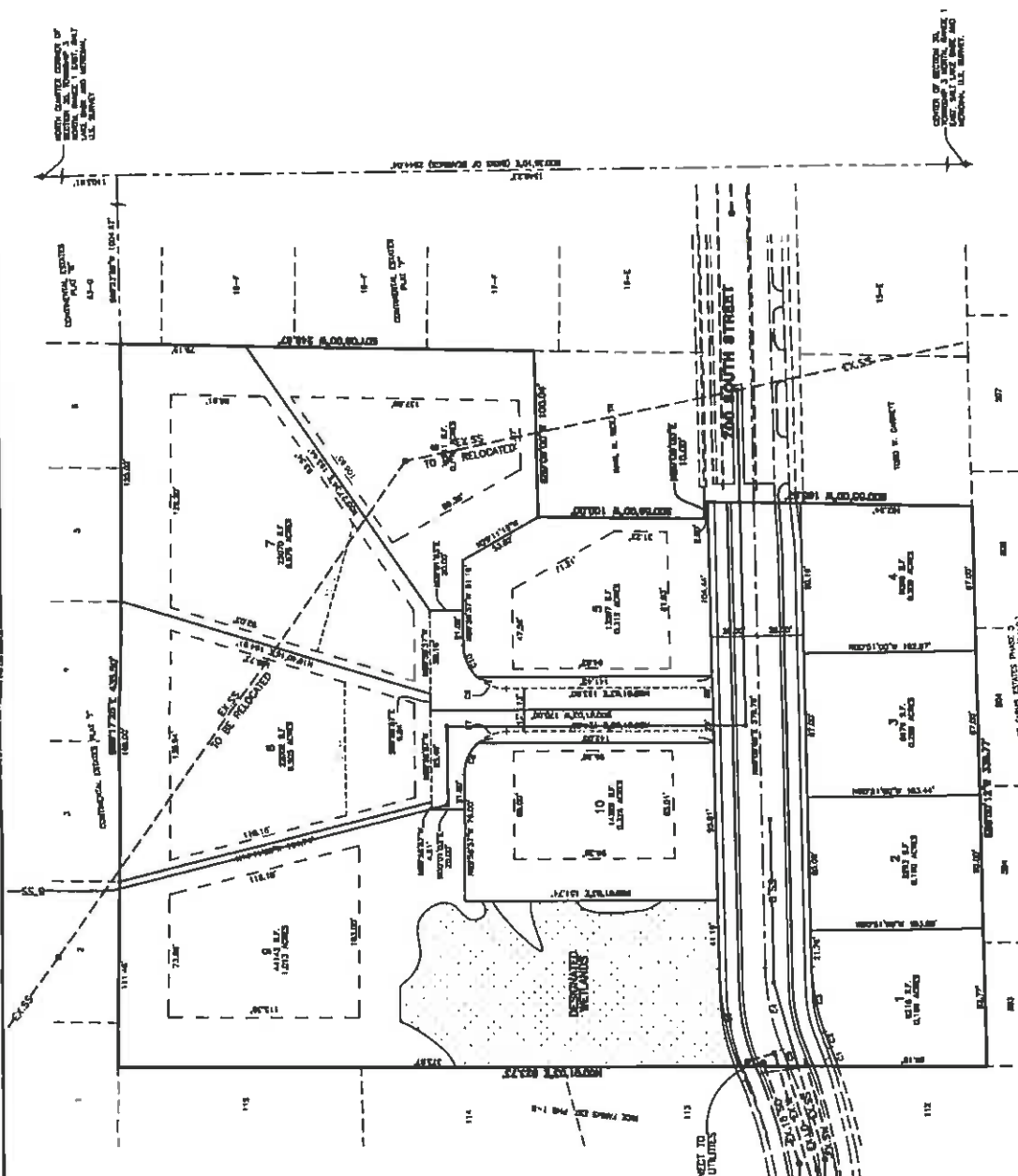
Developer:
Symphony Homes
526 N. 400 W.,
Salt Lake City, UT
(801) 298-8555

DESIGN SPECS.

TOTAL AREA	4.53 ACRES
AREA OF BOAT-UP BAY	3.44 ACRES
BOAT-UP WETLAND	11.48 ACRES
AVERAGE LOT	17,284 S.F.
SMALLEST PROPOSED LOT	8,718 S.F.

Pheasant Hollow Subdivision

Farmington City, Davis County, Utah



COUNTY MAP

NOTES:

- [illegible]

LEGEND

- SECTION CENTER
- BOUNDARY LINE
- LEFT LINE
- ADDRESS PROPERTY
- BUILDABLE AREA
- EDGE OF DRIVE
- SECTION NO. LINE



CURVE TABLE

PROJUS	ARC LENGTH	CHD LENGTH	TANGENT CHD BEARING	DETA
1	1.11	1.11	14.33	1.11
2	1.11	1.11	14.33	1.11
3	1.11	1.11	14.33	1.11
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5	1.11	1.11	14.33	1.11
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78	1.11	1.11	14.33	1.11
79	1.11	1.11	14.33	1.11
80	1.11	1.11	14.33	1.11
81	1.11	1.11	14.33	1.11
82	1.11	1.11	14.33	1.11
83	1.11	1.11	14.33	1.11

As a result of the above, the Commission has concluded that the proposed transaction is in the best interests of the shareholders of the Company and has approved the transaction.

CITY COUNCIL AGENDA

For Council Meeting:
April 19, 2016

PUBLIC HEARING: Farmington Greens Conservation Easement Amendment Request

ACTION TO BE CONSIDERED:

1. Hold the public hearing.
2. See staff report for recommendation.

GENERAL INFORMATION:

See enclosed staff report prepared by David Petersen.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: David E. Petersen, Community Development Director

Date: April 19, 2016

SUBJECT: **FARMINGTON GREENS CONSERVATION EASEMENT
AMENDMENT REQUEST**

RECOMMENDATION

1. Hold a public hearing.
2. Move that the City Council approve the enclosed amendment to the Farmington Greens Conservation Easement to modify it to allow the creation of storm water detention and retention areas as a permitted use thereto, while at the same time enhancing existing wetlands and upland areas (and trails).

Findings:

1. The Farmington Greens HOA, the previous underlying fee title owner, let the property go into disrepair and neglect. Eventually taxes were not paid and the HOA lost the property via a tax sale. Amendments to the easement will allow Farmington City to curb and prevent blight, and better increase property values in the PUD and surrounding areas
2. The amendment represents an improvement to the easement because wetland areas and wildlife habitat will be enhanced as well as trails.
3. In 1998, the original Farmington Greens concept was structured around walkable and beautiful open spaces. The proposed amendments are consistent with the intent of the initial development.
4. The proposed amendment preserves, to the greatest extent possible, the conservatoin values and intent of the original conservation easement.
5. The property is zoned AE and the uses related to the proposed amendment are allowed in this zone.
6. Presently, underground storm water vaults, similar to those used in Station Park, are allowed within the easement. However; such vaults do not have the same potential for enhancing wetlands and trails in the area as do above ground detention facilities.
7. Any proposed detention basins will not foster mosquitos and vermin because they will be designed in such away that they will be dry and empty except for rare 24 hour periods coinciding with major storm events.

8. The amendment further advances the goals of the Farmington General Plan and Active Transportation Plan by allowing for a more walkable community in the vicinity of the easement.
9. Detention basins near wetlands are not without precedent in Farmington. After 1996, Davis County worked closely with the US Army Corp of Engineers to provide regional detention basins south of the Farmington Preserve project north of I-15 and west of US 89. Existing wetlands and wildlife habitat were enhanced and trails were provided. This example encompasses more than 40 + acres of improved open space.

BACKGROUND

As mentioned in the findings. The Farmington Greens HOA let the open space area fall into blight by neglecting to pay taxes on the under lying fee. Now the City is stepping forward to enhance and better maintain the area.

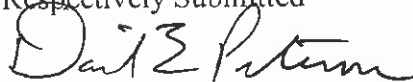
Standard of Review. Conservation easements exist in perpetuity and are intended to provide permanent protection and preservation of the encumbered property, and may be only amended under one or more of the following conditions set forth in Section 7 (see attached policy) as follows:

- a. The amendment represents a minor or incidental change which is not inconsistent with the conservation values or purposes delineated in the easement.
- b. The amendment corrects an error or oversight in the original conservation easement, including, but not limited to: correction of legal descriptions; inclusion of standard language unintentionally omitted; clarification of ambiguous language; clarification of obsolete terms; or clarification to aid in interpretation of the document in the future.
- c. The amendment addresses or responds to any condemnation or threat of condemnation of a portion or all of property encumbered by a conservation easement, and preserves, to the greatest extent possible, the conservation values and intent of the original easement.

Supplementary Information

1. Vicinity Map.
2. Proposed Amendments to the Easement.
3. Farmington City Conservation Easement Amendment Policy
4. Existing Farmington Greens Conservation Easement

Respectively Submitted



David Petersen
Community Development Director

Review and Concur



Dave Millheim
City Manager



WHEN RECORDED, MAIL TO:

Farmington City
Attn: City Manager
130 North Main
P.O. Box 160
Farmington, Utah 84025

Parcel Number(s): 08-074-0078, and 08-412-0160

**FIRST AMENDMENT TO
CONSERVATION EASEMENT AND DECLARATION OF RESTRICTIONS FOR
FARMINGTON GREENS PUD**

**THIS SECOND AMENDMENT TO CONSERVATION EASEMENT AND
DECLARATION OF RESTRICTIONS** (the "First Amendment") is made and entered into as
of the _____ day of April, 2016, by **FARMINGTON CITY**, a Utah municipal corporation,
hereinafter referred to as the "City."

RECITALS:

A. The City and Golden Meadows Properties, L.C., a Utah limited liability company,
as the original grantor, entered into that certain Conservation Easement and Declaration of
Restrictions dated April 15, 2006, and recorded at the Davis County Recorder's Office on
December 4, 2006, as Entry No. 2224554, Book No. 4171, Pages 1504-1524 ("Conservation
Easement"), preserving and protecting various parcels of property adjacent to the Farmington
Greens PUD; and

B. The underlying property subject to the Conservation Easement is more
particularly described in **Exhibit 1**, attached hereto and incorporated herein by this reference
("Property"); and

C. The Property subject to the Conservation Easement was transferred and conveyed
to Farmington City by Quitclaim Deed dated _____, _____, as recorded in the
Davis County Recorder's Office on _____, _____, as Entry No. _____,
Book No. _____, Page _____, and Farmington City is the current legal property owner of
record of the Property; and

D. The Farmington City desires to amend Section 7(b) of the Conservation Easement regarding conditional uses, and Section 13 regarding the subdivision of permitted Construction and maintenance activities on the Property.

E. The City has reviewed the proposed amendments to the Conservation Easement in accordance with the City's Conservation Easement Amendment Policy ("Amendment Policy") and has held a public hearing, including required notice of the same, in accordance with the Amendment Policy; and

G. The City has determined, in accordance with the Amendment Policy that the amendments are legally permissible, consistent with the purposes and intent of the Conservation Easement, and are warranted under the circumstances as more particularly set forth herein, and the City is willing to amend the Conservation Easement subject to and in accordance with the terms and conditions of this Second Amendment.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and the Homeowners Association agree as follows:

1. **Purpose.** The stated purpose of the Conservation Easement is to assure that the Property will be retained forever in its natural, scenic, agricultural and/or open space condition and to prevent any use of the Property that will significantly impair or interfere with the conservation values of the Property.

2. **Amendment Policy and Procedures.** In compliance with the Amendment Policy, it is the City's intent and desire to uphold the terms and conditions of conservation easements it holds and to preserve and protect the conservation values of all property so encumbered. The City also recognizes the need to provide for amendments to such easements in limited circumstances as necessary. Pursuant to the terms and conditions of the Amendment Policy, the City Council held a public hearing on the proposed amendments providing the applicant, the public and any interested party the opportunity to comment on the proposed amendments. The City provided fourteen (14) days advance notice of such hearing by publishing notice thereof in the Salt Lake City Tribune and Deseret News, a daily newspaper of general circulation within the City.

3. **Findings.** The amendments to the Conservation Easement provided for herein add above ground surface storm water facilities, including but not limited to detention basins, as a conditional use. Pursuant to provisions and requirements of the Amendment Policy, the City Council hereby finds that such amendments to the Conservation Easement are minor or incidental changes which are not inconsistent with the conservation values or purposes of the Conservation Easement and/or provide clarification to aid in the interpretation of the document. The City Council further finds that the amendments are consistent with the overall purpose of the Conservation Easement and will not be detrimental to or compromise the protection of the stated conservation values of the Property; the amendments are substantially equivalent to or enhance

the conservation values of the Property; the amendments are consistent with the City's goals for conservation of land under the Farmington City Conservation Subdivision Ordinance and will not undermine the City's obligation to preserve and enforce other conservation easements it has accepted; the amendments are the minimum change necessary to achieve the desired and acceptable purpose; the amendments are clearly warranted and in the best interest of the public and the subject Property; the granting of the amendments will not set an unfavorable precedent for future amendment requests; the amendments do not adversely affect the City's qualification as a holder of conservation easements or any claimed deduction for donation of the conservation easement; and the amendment does not provide a private benefit for the landowner or any private party or parties.

4. **Amendment to Conditional Uses.** Section 7(a) of the Conservation Easement regarding conditional uses is hereby amended to include a new subsection (ii) regarding above ground surface storm water facilities to read in its entirety as follows:

(ii) Above ground surface storm water facilities, including but not limited to local and regional detention basins (consistent with the Permits and approved by the Corps (where necessary), as provided elsewhere in the Easement and Restrictions) in the Preserve Area.

5. **Amendment to Section 13.** The first sentence of Section 13 of the Conservation Easement regarding permitted construction and maintenance activities is hereby amended to read in its entirety as follows:

This Easement and Restrictions is subject to the rights of Farmington City or any other agency or utility to enter upon the Preserve Area, subject to the terms and conditions herein, if consistent with the Permit and approved by the Corps in writing, for the construction, installation, operation and maintenance of subsurface utilities permitted herein, and also includes, only in the case of Farmington City, above ground surface storm water facilities.

6. **Full Force and Effect.** The terms of this First Amendment are hereby incorporated as part of the Conservation Easement. All other terms and conditions of the Conservation Easement not modified by this First Amendment shall remain the same and are hereby ratified and affirmed. To the extent the terms of this First Amendment modify or conflict with any provisions of the Conservation Easement, the terms of this First Amendment shall control.

7. **Binding Effect.** This First Amendment shall inure to the benefit of and be binding upon the parties hereto and their respective officers, employees, representatives, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment by and through their respective, duly authorized representatives as of the day and year first above written.

“CITY”

FARMINGTON CITY

ATTEST:

Holly Gadd, City Recorder

By: _____
Mayor H. James Talbot

CITY ACKNOWLEDGMENT

STATE OF UTAH)
 :ss.
COUNTY OF DAVIS)

On the ____ day of _____, 2016, personally appeared before me **H. JAMES TALBOT**, who being duly sworn, did say that he is the Mayor of **FARMINGTON CITY**, a municipal corporation of the State of Utah, and that the foregoing instrument was signed in behalf of the City by authority of its governing body and said H. James Talbot acknowledged to me that the City executed the same.

Notary Public

FARMINGTON CITY CONSERVATION EASEMENT AMENDMENT POLICY

1. Farmington City Conservation Easements.

Farmington City is a governmental entity and a tax exempt entity under Section 501(c) of the *Internal Revenue Code* qualified to acquire conservation easements under the terms of the Land Conservation Easement Act, as set forth in *Utah Code Ann.* §§ 57-18-1, *et seq.*, as amended. Farmington City has enacted Conservation Subdivision Ordinances, as more particularly set forth in Title 11, Chapter 12, of the Farmington City Municipal Code, providing for the development of subdivisions with incentives to preserve and provide for the conservation of open space and other sensitive and valued land within the City. Farmington City has acquired a number of conservation easements over and across various open space and conservation lands within the City and intends to acquire and provide for future conservation easements preserving and protecting open space and conservation lands within the City. Farmington City holds such conservation easements for the benefit of current and future generations and has the obligation to uphold such conservation easements in perpetuity for the purposes set forth therein.

2. Amending Conservation Easements in General.

Conservation easements are generally intended to provide for the permanent and perpetual protection and preservation of the encumbered property. By their terms, conservation easements are not generally permitted to be terminated or altered. It is very important to land conservation efforts to provide for and honor the permanence of conservation easement restrictions. If they are not treated as essentially unchangeable, landowners may be less willing to entrust the protection of their property to land trusts and/or to encumber their property with conservation easements. However, it has also been noted that it is unrealistic to expect that conservation easements must or should always preclude amendment. There are too many unknowns at the time of creation of a conservation easement, and it is often not possible to foresee and record for all time the best and sole use of property. As such, some jurisdictions have recognized that amendments to conservation easements may be necessary on occasion and under reasonable circumstances.

3. Farmington City Amendment Policy.

It is Farmington City's intent and desire to uphold the terms and conditions of conservation easements it holds and to preserve and protect the conservation values of all property so encumbered. Farmington City also recognizes the need to provide for amendments to such easements in limited circumstances as necessary. Any and all amendments to conservation easements held by Farmington City must be approached with great care and shall be approved only in limited circumstances in accordance with and subject to the amendment policies and procedures more particularly set forth herein.

4. Amendment Application.

Any person or entity that is the legal property owner of record of property encumbered by a conservation easement held by Farmington City desiring to amend the provisions of such conservation easement shall be required to file a written application for amendment with the City. All applications for amendment shall be signed by the property owner(s) of record, or his/her/its authorized agent, and filed with the Community Development Director. All applications for amendment shall include the following:

- a. A written description of the proposed conservation easement amendment, including suggested language for any text amendments;
- b. A statement of the grounds and reasons for the proposed amendments and sufficient evidence in support of the same, including discussion of the compliance of the amendment with the qualifications and criteria set forth in this Policy;
- c. All maps and/or documents applicable to the proposed amendment;
- d. The names and addresses of all property owner(s) of record for the subject property encumbered by the conservation easement; and
- e. The fee required for conservation easement amendments as set forth in the City's Consolidated Fee Schedule.

5. Application Fee and Costs.

Unless specifically waived by the City, the application fee for a conservation easement amendment application shall be as set forth in the City's Consolidated Fee Schedule. The applicant shall also pay any staff, legal, and engineering fees incurred by the City in response to an application request. A "Professional Services Deposit" in an amount as set forth in the City's Consolidated Fee Schedule shall be collected at the time of application to cover these costs. Any unused deposit will be refunded to the applicant, and applicant will be responsible for any costs incurred above the amount collected for the Professional Services Deposit. Such fees shall be paid whether the application is approved or not. In addition, the City may condition approval of the amendment upon payment to a Conservation Easement Enforcement and Monitoring Fund of an amount sufficient to offset any increased monitoring or enforcement obligations of the City.

6. Application Review and Approval.

- a. **Community Development Director Recommendation.** The Community Development Director, or his or her designee, shall review any application for amendment to a conservation easement. Such review shall include, at a minimum, a site visit to the subject property and a review of the original records of approval for the easement, including the stated conservation values of the subject easement. The Community Development Director shall prepare a written report of recommendation

regarding the proposed conservation easement amendment to the City Council for their review and consideration in accordance with the procedures set forth herein. The Community Development Director may request any further information, data or evidence deemed necessary from the applicant. Upon completion of his or her review, the Community Development Director shall forward his or her report of recommendation to the City Council.

b. Notice and Public Hearing. The City Council shall provide at least fourteen (14) days advance notice of a public hearing to be held in consideration of the proposed conservation easement amendment. Such notice shall be provided by publishing in a daily newspaper of general circulation in the City. After proper notice, the City Council shall hold a public hearing on the proposed conservation easement amendment. In addition to the public hearing, the applicant shall be provided an opportunity to address the City Council regarding the amendment and to respond to any issues or comments made regarding the proposed amendment during public comment or raised by the City Council.

c. City Council Review and Approval. The City Council shall review the application and record provided for the proposed amendment and shall consider relevant public comment regarding the same. The City Council shall further review and determine whether the proposed amendment meets the qualification and criteria set forth in this Policy. The City Council may thereafter approve or deny, in whole or in part, the application for amendment.

d. Executed Recording. Most conservation easements, by their terms, require approval of the amendment by both the Grantor and the Grantee, or their authorized successors and assigns. Any amendments to a conservation easement permitted hereunder shall be in writing, signed by the required parties of interest, and recorded in the Davis County Recorder's Office.

e. Easement Terms. In the event the terms of the subject conservation easement provide for greater noticing or procedural requirements for any amendment, such noticing and procedural requirements shall govern. The procedures and noticing provisions set forth herein are intended to be a minimum.

7. Conditions for Qualification.

Any request for amendment to a conservation easement will be reviewed by the City Council according to the procedures set forth in this Policy and will be approved only under one or more of the following conditions:

a. The amendment represents a minor or incidental change which is not inconsistent with the conservation values or purposes delineated in the easement.

b. The amendment corrects an error or oversight in the original conservation easement, including, but not limited to: correction of legal descriptions; inclusion of standard language unintentionally omitted; clarification of ambiguous language; clarification of obsolete terms; or clarification to aid in interpretation of the document in the future.

c. The amendment addresses or responds to any condemnation or threat of condemnation of a portion or all of property encumbered by a conservation easement, and preserves, to the greatest extent possible, the conservation values and intent of the original easement.

8. Mandatory Criteria.

Any request for amendment to a conservation easement will be reviewed by the City Council according to the procedures set forth in this Policy and will be approved only if all of the following criteria can be met:

a. The amendment is consistent with the overall purposes of the conservation easement and will not be detrimental to or compromise the protection of the stated conservation values of the property.

b. The amendment is substantially equivalent to or enhances the conservation values of the property, adds adjacent land, or achieves greater conservation of the property.

c. The amendment is consistent with the City's goals for conservation of land under applicable City Ordinances and will not undermine the City's obligation to preserve and enforce conservation easements it has accepted.

d. The amendment is the minimum change necessary to achieve the desired and acceptable purpose.

e. The amendment is clearly warranted and in the best interest of public and subject property.

f. Granting of the amendment will not set an unfavorable precedent for future amendment requests.

g. The amendment does not adversely affect the City's qualification as holder of conservation easements.

h. The amendment does not provide a private benefit to the landowner or any private party.

WHEN RECORDED, MAIL TO:

FARMINGTON CITY
Attn: City Manager
130 North Main
Farmington, Utah 84025

RETURNED
DEC 01 2006

E 2224554 B 4171 P 1504-1524
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
12/04/2006 02:51 PM
FEE \$0.00 Pgs: 21
DEP RT REC'D FOR FARMINGTON CITY

CONSERVATION EASEMENT AND DECLARATION OF RESTRICTIONS

THIS CONSERVATION EASEMENT AND DECLARATION OF RESTRICTIONS ("Easement and Restrictions") is made this 15th day of August 2006, by **GOLDEN MEADOWS PROPERTIES, L.C.**, a Utah limited liability company whose mailing address is 2001 Windsor Street, Salt Lake City, Utah, 84105, (hereinafter "Grantor"), in favor of **FARMINGTON CITY**, a Utah municipal corporation whose mailing address is 130 North Main Street, Farmington, Utah, 84025, (hereinafter "Grantee").

R E C I T A L S:

WHEREAS, Grantor is the sole owner in fee simple title of certain real property located in Farmington City, Davis County, State of Utah, which property is more particularly described in **Exhibit "A"** attached hereto and incorporated herein by reference, hereinafter referred to as the "Preserve Area," and shown on the project map, attached hereto as **Exhibit "B"** and incorporated herein by reference, hereinafter referred to as the "Project Map"; and

WHEREAS, the Preserve Area possesses unique and sensitive natural, scenic, open space, drainage corridor, wetlands, wildlife habitat, and/or pastureland values (collectively referred to as "conservation values") of great importance to the Grantor, the Grantee, and the public; and

WHEREAS, Grantor intends to preserve the Preserve Area as wildlife habitat and a wetland preserve area, to be so held in perpetuity subject to restrictions in accordance with the provisions of the Section 404 Permit Nos. 199450285 and 199650040, as amended and supplemented (hereinafter "Permits") issued by the U.S. Army Corps of Engineers (hereinafter "Corps") and the restrictions in this Easement and Restrictions; and

WHEREAS, Grantor intends that the conservation values of the Preserve Area be preserved and maintained by the continuation of the use of the Preserve Area in such a way which does not significantly impair or interfere with those values; and

WHEREAS, Grantor intends to preserve and protect the conservation values of the Preserve Area in perpetuity through this Easement and Restrictions and dedication of the Easement to Grantee.

NOW, THEREFORE, in consideration of the above and the covenants, terms, conditions, and restrictions contained herein, and pursuant to the laws of the State of Utah, particularly *Utah Code Ann.* § 57-18-1, et seq., as amended, with the intention of making an irrevocable easement in perpetuity, Grantor hereby agrees and conveys as follows.

1. Conveyance. Grantor hereby grants and warrants to Grantee, a perpetual conservation easement as hereinafter defined (the "Easement") over and across all the Preserve Area to preserve and protect the natural, ecological, water, wildlife habitat, open space, scenic, aesthetic, and wetland values present on the Preserve Area, subject to the restrictions contained herein, to have and to hold unto Grantee, its successors and assigns forever.
2. Preserve Area. The Preserve Area subject to this Easement and Restrictions consists of approximately 24.44 acres located in Farmington City, Davis County, State of Utah, as more particularly described in **Exhibit "A."**
3. Current Use and Condition of Preserve Area. The Preserve Area presently consists of sensitive, natural, scenic, open space, wetlands and wildlife habitat reflecting natural vegetation of the area and is located at approximately Clark Lane (100 North) and 1200 West, Farmington City, Davis County, State of Utah.
4. Covenant Running with Land. Grantor does hereby covenant and agree to restrict, and does by this instrument intend to restrict, the future use of the Preserve Area as set forth below, by the establishment of this Easement and Restrictions running with the land.
5. Purpose. Grantor is the fee simple title owner of the Preserve Area and is committed to preserving the conservation values of the Preserve Area. The purpose of this Easement is to assure that the Preserve Area will be retained forever in its natural, scenic, wetland and/or open space condition and to prevent any use of the Preserve Area that will significantly impair or interfere with the conservation values of the Preserve Area. Any use of the Preserve Area which may impair or interfere with the conservation values, unless expressly permitted in this Easement and Restrictions, is expressly prohibited. Grantor agrees to confine use of the Preserve Area to activities consistent with the purposes of this Easement and Restrictions and preservation of the conservation values of the Preserve Area.
6. Duration. The duration of the Easement and Restrictions shall be perpetual.
7. Permitted and Conditional Uses. Subject to the terms and conditions set forth in this Easement and Restrictions, the following activities and/or uses of the Preserve Area are permitted or conditional.

(a) The following are Permitted Uses:

(i) Conservation of open land in its natural state.

(ii) Underground utility easements for drainage, access, sewer or water lines, or other public purposes, if consistent with the Permits and approved by the Corps, in locations as approved by the City of Farmington, subject to restoration of the Preserve Area to its natural condition within a reasonable time frame not to exceed ninety (90) days, unless otherwise agreed to in writing by the Grantee, which restoration shall be conducted to the satisfaction of the Grantee to protect and preserve the conservation values of the Preserve Area.

(b) Subject to the terms and conditions set forth in this Easement and Restrictions and if consistent with the Permits and approved by the Corps, the following activities and/or uses of the Preserve Area may be permitted as a conditional use, subject to obtaining a conditional use permit from the City of Farmington for such use in accordance with City Ordinances regarding the same:

(i) Non-commercial and non-motorized recreational use of improved trails (consistent with the Permits and approved by the Corps, as provided elsewhere in this Easement and Restrictions) in the Preserve Area.

8. Prohibited Uses and Restrictions. Any activity on or use of the Preserve Area not specifically listed as a permitted use or activity as set forth herein and/or any activity on or use of the Preserve Area which is inconsistent with the purpose of this Easement and Restrictions or detrimental to the conservation values is expressly prohibited. Except for those actions necessary to accomplish preservation, maintenance, repair, fire prevention, or enhancement as has been, or in the future is authorized by the Corps, consistent with the Permits, the following shall apply to the Preserve Area:

(a) There shall be no division, subdivision or de facto subdivision (through long-term leasing or otherwise) of any parcel of the Preserve Area; except for subdivision and dedication of the Preserve Area as necessary to dedicate trails within the Preserve Area to Farmington City.

(b) There shall be no residential, commercial or industrial activity within the Preserve Area.

(c) There shall be no development, construction or location of any man-made modification or improvements such as buildings, structures, fences, roads, parking lots, or other improvement on the Preserve Area, except as expressly permitted in this Easement and Restrictions and approved by the Corps.

(d) There shall be no filling, dredging, excavating, mining, drilling, alteration of the land surface, or exploration for and extraction of oil, gas, minerals or other resources within or from the Preserve Area.

(e) There shall be no dumping or storing of ashes, trash, garbage or junk on the Preserve Area.

(f) There shall be no manipulation or alteration of natural watercourses, wetlands, or riparian communities, except as expressly permitted herein or as necessary for the use of the Preserve Area and then, in any event, only to the extent that such manipulation or alteration shall not result in a significant injury to or the destruction of significant conservation values.

(g) There shall be no hunting or trapping for any purpose other than predatory or problem animal control on the Preserve Area.

(h) There shall be no advertising of any kind or nature on the Preserve Area and any billboards or signs; provided a directory and information sign may be displayed describing the Easement and prohibited or authorized use of the same.

(i) No plowing or cultivation of the Preserve Area or any portion of such area, and no destruction or removal of any natural tree, shrub or other vegetation that exists upon the Preserve Area shall be done or permitted to the Preserve Area except by the Grantor or its successors and assigns for the purpose of thatch management or the removal/management of noxious or dangerous plants as necessary to maintain the Preserve Area;

(j) No materials or debris, including snow, shall be stored, placed or discharged (whether temporarily or permanently) on or within the Preserve Area or any portion of such area without prior written approval by the Corps;

(k) No discharge of any dredged or fill material shall be permitted within the Preserve Area or any portion of such area except as consistent with the terms and conditions of the Permits and no use of any sump pump;

(l) No discharge, dumping, disposal, storage or placement of any trash, refuse, rubbish, grass clippings, cuttings or other waste materials within the Preserve Area or any portion of such area shall be permitted;

(m) No leveling, grading or landscaping within the Preserve Area or any portion of such area shall be done or permitted without prior written approval from the Corps;

(n) No burning of any materials on or within the Preserve Area, except as necessary for fire protection;

(o) No motorized vehicles shall be ridden, brought, used or permitted on any portion of the Preserve Area ;

(p) No surface runoff (other than naturally occurring surface runoff) from any surrounding development shall be allowed to flow onto the Preserve Area ;

(q) There shall be no other uses and practices inconsistent with and significantly detrimental to the stated objectives and purpose of the Easement and Restrictions.

9. Rights of the Grantee. Grantor confers the following rights upon Grantee to perpetually enforce the preservation of the conservation values of the Preserve Area and to accomplish the purpose of this Easement and Restrictions:

(a) Grantee has the right to preserve and protect the conservation values of the Preserve Area.

(b) Grantee has the right to enter upon the Preserve Area at reasonable times to monitor or to enforce compliance with this Easement and Restrictions and to inspect and enforce the rights herein granted; provided that such entry shall not unreasonably interfere with the Grantor's use and quiet enjoyment of the Preserve Area.

(c) Grantee has the right to enjoin and prevent any activity on or use of the Preserve Area that is inconsistent with the terms or purposes of this Easement and Restrictions and to preserve and protect the conservation values of the Preserve Area.

(d) Grantee has the right to require restoration of the areas or features of the Preserve Area which are damaged by activity inconsistent with this Easement and Restrictions.

(e) Grantee has the right to place signs on the Preserve Area which identify the Preserve Area as being protected by this Easement and Restrictions.

(f) Grantee has the right to engage in activities that restore the biological and ecological integrity of the Preserve Area. Possible activities include planting native vegetation and use of controlled fire to reduce the presence of undesirable vegetation.

10. Duties of the Grantor. Grantor retains ownership rights of the underlying fee simple title to the Preserve Area which are not expressly restricted by this Easement and Restrictions. In accordance with rights reserved in Grantor by this Easement and Restrictions, Grantor shall be subject to all terms, conditions and restrictions of this Easement and Restrictions and shall have the affirmative duty to refrain from conducting or causing to be conducted any action inconsistent with the purpose and provisions of this Easement and Restrictions. The following duties and responsibilities, among others, shall be performed by Grantor with respect to the Preserve Area:

(a) Protect, preserve and enhance the aesthetic, open space, drainage corridor, wetlands and/or wildlife habitat values of the Preserve Area;

(b) Subject to approval by the Corps, control insects, noxious weeds and plants, predatory or problem animals by the use of selective control measures and techniques. Any use of agricultural chemicals for the control of noxious weeds or other invasive plant species may only be used in accordance with all applicable laws, in those amounts and with such frequency of application constituting the minimum necessary to accomplish reasonable agricultural, grazing and other permitted uses of the Preserve Area. The use of such agents shall be conducted in a manner to minimize any adverse effect on the natural conservation values of the Preserve Area and to avoid any impairment of the natural ecosystems and their processes.

(c) Construct and maintain appropriate fire prevention and control measures including, but not limited to fire break paths along the boundaries of the Preserve Area.

11. Enforcement of Easement and Restrictions.

(a) Notice and Demand. If Grantee determines that Grantor or its successors are in violation of this Easement and Restrictions, or that a violation is threatened, the Grantee may provide written notice to the Grantor or its successors of such violation and request corrective action to cure the violation or to restore the Preserve Area. In the event Grantee determines that the violation constitutes immediate and irreparable harm, such notice shall not be required.

(b) Failure to Act. If, for a 28-day period after the date of the written notice from Grantee to Grantor, or its successors, the Grantor or its successor continues violating the Easement and Restrictions, or if the Grantor or its successor does not abate the violation and implement corrective measures requested by the Grantee, the Grantee may bring an action in law or in equity to enforce the terms of the Easement and Restrictions. The Grantee is also entitled to enjoin the violation through injunctive relief, seek specific performance, declaratory relief, restitution, reimbursement of expenses or an order compelling restoration of the Preserve Area. If the court determines that the Grantor has failed to comply with this Easement and Restrictions, the Grantor agrees to reimburse Grantee for all reasonable costs and attorneys fees incurred by the Grantee compelling such compliance.

(c) Absence of Grantor. If the Grantee determines that the Easement and Restrictions is, or is expected to be, violated, the Grantee shall make good-faith efforts to notify the Grantor. If, through reasonable efforts, the Grantor cannot be notified, and if the Grantee determines that circumstances justify prompt action to mitigate or prevent impairment of the conservation values, then the Grantee may pursue its lawful remedies without prior notice and without waiting for Grantor's opportunity to cure. Grantor agrees to reimburse Grantee for all costs incurred by Grantee in pursuing such remedies.

(d) Actual or Threatened Non-Compliance. Grantor acknowledges that actual or threatened events of non-compliance under this Easement and Restrictions may constitute immediate and irreparable harm. The Grantee is entitled to invoke the equitable jurisdiction of the court to enforce this Easement and Restrictions.

(e) Any violation of the Easement and Restrictions shall be subject to termination through injunctive proceedings with the imposition of temporary restraining orders or through any other legal means, it being recognized that monetary damages and/or other non-injunctive relief would not adequately remedy the violation of the covenants and restrictions of the Easement. In addition, subject to the provisions set forth herein, the Grantee shall have the right to enforce the restoration of the portions of the Preserve Area affected by activities in violation of the Easement and Restriction to the condition which existed at the time of the signing of this instrument.

(f) The remedies set forth herein are cumulative. Any, or all, of the remedies may be invoked by the Grantee if there is an actual or threatened violation of this Easement and Restrictions.

(g) A delay in enforcement shall not be construed as a waiver of the Grantee's right to enforce the terms of this Easement and Restrictions.

12. Enforcement of Restrictions. The Grantee, the Grantor or its successor including the homeowner's association when Grantor's interest is conveyed pursuant to Section 28 hereof, and any lot owner that is a member of the homeowner's association shall have the right to enforce by proceedings at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Easement and Restrictions or any amendment hereto, including the right to prevent the violation of any such restrictions, conditions, covenants, or reservations and the right to recover damages for such violation.

13. Permitted Construction and Maintenance Activities. This Easement and Restrictions is subject to the rights of Farmington City or any other agency or utility to enter upon the Preserve Area, subject to the terms and conditions herein, if consistent with the Permit and approved by the Corps in writing, for the construction, installation, operation and maintenance of subsurface utilities as permitted herein. After exercise of rights retained herein, the permitted entity or utility company in interest, shall take reasonable actions to restore the Preserve Area to its natural condition prior to the conduct of any of the foregoing activities. Nothing herein shall be deemed a grant of an easement to Farmington City or any utility; the foregoing is set forth only to establish uses or activities which are allowed on the Preserve Area. Easements to Farmington City or utilities shall be made by separate grant or document.

14. Maintenance. The Preserve Area shall be maintained by Grantor, in accordance with the Maintenance Plan set forth as **Exhibit "C,"** attached hereto and incorporated herein by

this reference. Grantor shall be solely responsible for the upkeep and maintenance of the Preserve Area.

15. Taxes. Grantor shall pay all taxes, assessments, fees and charges of whatever description levied on or assessed against the Preserve Area, including any taxes imposed upon, or incurred as a result of, this Easement and Restrictions, and shall furnish Grantee with satisfactory evidence of payment upon request.

16. Indemnification. Grantor shall hold harmless, indemnify, and defend Grantee and its members, directors, officers, employees, agents and contractors, and the successors and assigns of each of them, collectively referred to as the "Indemnified Parties," from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims, demands, or judgments, including, without limitation, reasonable attorneys' fees, arising from or with respect to the Preserve Area, unless due to the negligence or willful misconduct of Grantee. Grantor shall keep the Preserve Area insured with comprehensive general liability insurance against claims for personal injury, death and property damage and shall name Grantee as an additional insured party on all such insurance policies, providing Grantee evidence of such insurance upon request.

17. Transfer of Grantee's Interest. If the Grantee determines that it no longer is able to enforce its rights under this instrument or that it no longer desires to enforce the rights, or desires to assign enforcement rights to a qualified organization under Section 501(c)(3) and/or 170(h)(3) of the Internal Revenue Code, the Grantee shall be entitled to convey in whole or in part all of its rights under this instrument and deliver a copy of this instrument to an organization designated by the Grantee and described in or contemplated by Section 501(c)(3) and/or 170(h)(3) of the Code, or the comparable provision in any subsequent revision of the Code to ensure that the Easement and Restrictions is enforced. Furthermore, the Grantee is hereby expressly prohibited from subsequently transferring the Easement and Restrictions, whether or not for consideration, unless (a) the Grantee, as a condition of the subsequent transfer, requires that the conservation purposes which the Easement and Restrictions is intended to advance continue to be carried out; and (b) the transferee is an organization qualifying at the time of the transfer as an eligible donee under Section 501(c)(3) and/or 170(h)(3) of the Code and regulations promulgated thereunder.

18. Cessation of Grantee's Existence. If Grantee shall cease to exist or if it fails to be a qualified organization for the purposes Section 501(c)(3) and/or 170(h)(3) of the Internal Revenue Code, or if the Grantee is no longer authorized to acquire and hold conservation easements, then this Easement and Restrictions shall become vested in another entity. Any successor entity shall be a qualified organization for the purposes of Section 501(c)(3) and/or 170(h)(3) of the Internal Revenue Code. The Grantee's rights and responsibilities shall be assigned to the following named entities in the following sequence:

- (a) Davis County, Utah, a Utah political subdivision.

(b) Any other qualified entity having similar conservation purposes to which rights may be awarded.

19. Termination of the Easement. This Easement and Restrictions may be extinguished only by an unexpected change in condition which causes it to be impossible to fulfill the Easement and Restrictions's purpose or by exercise of eminent domain in accordance with the provisions set forth herein. The fact that the Grantee may have title to the Preserve Area and therefore may become an Owner for purposes of this Easement and Restrictions shall not cause a termination of this Easement and Restrictions by operation of the doctrine of merger of otherwise. The Grantee shall not voluntarily or willingly allow the termination of any of the restrictions of this instrument, and if any or all of the restrictions of the Easement and Restrictions are nevertheless terminated by a judicial or other governmental proceeding, any and all compensation received by the Grantee as a result of the termination shall be used by the Grantee in a manner consistent with the conservation purposes of the Easement and Restrictions.

(a) If subsequent circumstances render the purposes of this Easement and Restrictions impossible to fulfill, then this Easement and Restrictions may be partially or entirely terminated only by judicial proceedings. Grantee will be entitled to compensation in accordance with applicable laws and judicial determination.

(b) If the Preserve Area is taken, in whole or in part, by power of eminent domain, then the Grantee will be entitled to compensation in accordance with applicable laws.

20. Transfer of Grantor's Interest. The Grantor, or its successors (hereinafter Owners) shall incorporate the terms of this Easement and Restrictions in any deed or other legal instrument by which it divests itself of any interest in all or a portion of the Preserve Area, including, without limitation, a leasehold interest. The failure of the Grantor or Owners to perform any act required by this Paragraph shall not impair the validity of this Easement and Restrictions or limit its enforceability in any way. Upon conveyance of title to the Preserve Area, the Grantor or Owners, as applicable, shall be released from their obligations under this Easement and Restrictions.

21. Notices. Any notice, demand, request, consent, approval, or communication shall be in writing and served personally or sent by registered or certified mail, postage prepaid, return receipt requested, addressed to the following:

To Grantee: Farmington City
Atten: City Manager
130 North Main Street
Farmington, Utah 84025-0160

To Grantor: Golden Meadows Properties, L.C.
2001 Windsor Street

Salt Lake City, Utah 84105

With a Copy to: Wayne G. Petty
Moyle and Draper, P.C.
175 East 400 South, Suite 900
Salt Lake City, Utah 84111

To the Corps: U.S. Army Corps of Engineers
533 West 2600 South, Suite 150
Bountiful, Utah 84010

or to such other address as the Grantee, Grantor or the Corps shall from time to time designate by written notice.

22. Title Warranty. Grantor warrants that it has good and sufficient title to the Preserve Area, free from all encumbrances except those set forth in **Exhibit "D,"** attached hereto and incorporated herein by this reference, and hereby promises to defend the same against all claims that may be made against it.

23. Subsequent Encumbrances. Except for those uses permitted under Section 5 of this Conservation Easement and Restrictions, the grant of any easement or use restriction that might diminish or impair the viability of the Preserve Area or otherwise diminish or impair the conservation values of the Preserve Area is prohibited.

24. Environmental Warranty. Grantor warrants that it has no actual knowledge or threatened release of hazardous substances or wastes on the Preserve Area, as such substances and wastes are defined by applicable law, and hereby promises to indemnify Grantee against, and hold Grantee harmless from, any and all loss, cost, claim, liability or expense, including reasonable attorney's fees arising from or with respect to any release of hazardous waste or violation of environmental laws.

25. Recordation. The Grantee shall record this instrument in timely fashion in the official records of Davis County, Utah and may re-record it at any time as may be required to preserve its rights in this Easement and Restrictions.

26. Controlling Law. The interpretation and performance of this Easement and Restrictions shall be governed by the laws of the State of Utah.

27. Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Easement and Restrictions shall be liberally construed in favor of the Easement and Restrictions to effect the purpose of this Easement and Restrictions and the policy and purpose of *Utah Code Ann.* § 57-18-1 et seq., as amended, and related provisions. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the

purpose of this Easement and Restrictions that would render the provision valid shall be favored over any interpretation that would render it invalid.

28. Severability. If any provision of this Easement and Restrictions, or the application thereof to any person or circumstance, is found to be invalid, the remainder of the provisions of this Easement and Restrictions, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected thereby.

29. Joint Obligation. Subject to the provisions set forth herein, the obligations imposed by this Easement and Restrictions upon any Owners shall be joint and several.

30. Successors. The covenants, terms, conditions, and restrictions of this Easement and Restrictions shall be binding upon, and inure to the benefit of, the Grantee, the Grantor, subsequent Owners of the Preserve Area, and their respective personal representatives, heirs, successors, and assigns, and shall continue as a servitude running in perpetuity with the Preserve Area. Upon lawful and recorded conveyance of the Preserve Area to a homeowner's association (the "HOA") for the Farmington Greens P.U.D., the rights and obligations of Grantor under this agreement shall transfer to the HOA, and Grantor hereunder shall have no further obligations or responsibilities regarding this agreement.

31. Entire Agreement. This Easement, together with all exhibits, sets forth the entire agreement of the parties and supercedes all prior discussions and understandings.

32. Captions. The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon construction or interpretation.

IN WITNESS WHEREOF Grantor has executed this instrument on the day and year first above written.

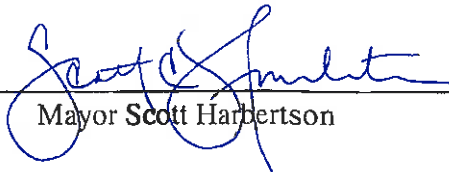
GRANTOR:

GOLDEN MEADOWS PROPERTIES, L.C.
By Nupetco Associates, LLC,
Its Manager

By: 
Neuman C. Petty
Its: Manager


GRANTEE:

FARMINGTON CITY

By: 
Mayor Scott Harbertson



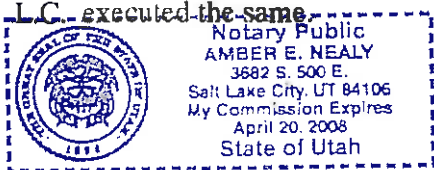
ATTEST:


City Recorder

ACKNOWLEDGMENTS

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On this 15th day of October ~~August~~ 2006, personally appeared before me NEUMAN C. PETTY who being by me duly sworn did say that he the said NEUMAN C. PETTY is the Manager of Nupetco Associates, LLC, Manager of Golden Meadows Properties, L.C. and that the within and foregoing instrument was signed in behalf of said Golden Meadows Properties, L.C. and said Neuman C. Petty duly acknowledged to me that said Golden Meadows Properties, L.C. executed the same.



Amber E. Nealy
NOTARY PUBLIC
Residing in Salt Lake County, Utah

My Commission Expires:

April 20, 2008

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On this 30th day of November ~~August~~ 2006, personally appeared before me SCOTT HARBERTSON, who being by me duly sworn did say that he is the Mayor of Farmington City and he duly acknowledged to me that the foregoing instrument was signed on behalf of Farmington City.

Margy L. Lomax
NOTARY PUBLIC
Residing in Davis County, Utah

My Commission Expires:

11/29/07

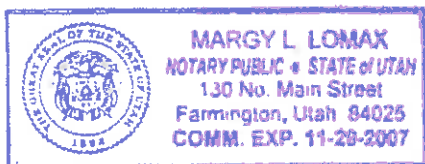


EXHIBIT "A"

LEGAL DESCRIPTION OF EASEMENT AND PRESERVE AREA

PARCEL 1: Beginning at a point that is South 00°17'07" West along the section line 606.79 feet and West 245.82 feet from the East Quarter Corner of Section 23, Township 3 North, Range 1 West, Salt Lake Base and Meridian and running thence the following 3 courses along the boundary of Farmington Greens Phase 4, South 84°55'34" West 641.97 feet; thence South 60°27'15" West 810.62 feet; thence South 00°29'24" East 241.65 feet; thence South 89°31'00" West 460.77 feet; thence North 00°22'26" West 334.90 feet; thence East 232.25 feet; thence North 45°01'56" East 1070.15 feet; thence North 45°00'00" West 142.45 feet to a point on a 71.50 foot radius non tangent curve to the left the chord of which bears North 08°57'36" West 84.13 feet; thence along said curve to the left through a central angle of 72°04'47" a distance of 89.95 feet; thence North 45°00'00" West 6.00 feet; thence North 45°49'28" East 69.51 feet; thence North 08°54'06" West 118.81 feet; thence the following 10 courses along the boundary of Farmington Greens Phase 1A, North 32°02'37" West 73.88 feet; thence North 00°36'30" East 194.78 feet; thence South 89°23'30" East 53.43 feet; thence North 00°36'30" East 136.22 feet; thence North 34°42'20" West 111.86 feet; thence North 89°23'30" West 68.77 feet; thence North 00°36'30" East 46.50 feet to a point on a 16.50 foot radius curve to the right the chord of which bears North 45°36'30" East 23.33 feet; thence along said curve to the right through a central angle of 90°00'00" a distance of 25.92 feet; thence North 7.00 feet to the south right of way line of Clark Lane; thence along said right of way South 89°23'30" East 27.27 feet to the southwesterly railroad right of way line; thence along said right of way the following 3 courses South 34°42'20" East 238.45 feet; thence North 55°17'40" East 61.67 feet; thence South 34°40'00" East 1382.87 feet to the point of beginning. Contains 22.93 Acres, more or less.

AND:

PARCEL A, OPEN SPACE (DETENTION POND), as shown on Farmington Greens P.U.D. Plat 4, as recorded May 20, 2004 as entry no. 1988215 in the Davis County Recorder's office.

PARCEL 2:

Beginning at a point being North 00°09'22" West 714.64 feet along the section line and South 89°23'27" East 1217.52 feet and South 7.00 feet from the center of Section 23, Township 3 North, Range 1 West, Salt Lake Base and Meridian to the boundary of Farmington Greens P.U.D. Plat 1A; thence along the said boundary the following (6) six courses: (1) South 00°36'30" West 106.00 feet; (2) South 13°19'12" East 128.79 feet; (3) South 89°23'30" East 76.00 feet to the West right-of-way of Belmont Drive; (4) South 00°36'30" West 76.00 feet to a 16.50 foot radius curve the center of which bears North 89°23'30" West; (5) southerly along said curve to the right through a central angle of 90°00'00" a distance of 25.92 feet to the North right-of-way line of Churchill Downs Drive; (6)

North 89°23'30" West 78.00 feet; thence North 89°23'30" West 41.50 feet; thence North 20°45'44" West 134.23 feet; thence North 89°23'30" West 128.09 feet; thence North 44°41'52" West 66.12 feet; thence North 12°42'11" East 71.59 feet; thence North 00°36'30" East 82.00 feet ; thence South 89°23'27" East 238.00 feet to the point of beginning. Contains 65831 square feet, more or less.

LESS AND EXCLUDING FROM THE FOREGOING PARCELS:

Any lot or portion thereof located in Farmington Greens P.U.D. Plat 1A, Farmington Greens P.U.D. Plat 1B, or Farmington Greens P.U.D. Plat 4.

EXHIBIT "B"
PROJECT MAP



LEGEND

- Equestrian Lot Homes
21700 s.t. and larger
- Estate Lot Single Family
12,000 - 21,000 s.t.
- Large Lot Single Family
10,000 - 12,000 s.t.
- Medium Lot Single Family
8,000 - 10,000 s.t.
- Medium Lot Single Family
6,000 - 8,000 s.t.
- College Home Lots
4,100 - 6,000 s.t.

- Community Support
and Services Parcel
- Community Open Space
and Wildlife Preserves
- Western Preservation Zone
- General Open Areas
- Developed Park Areas

Project Density

- 174 Homes on 88.3 Acres
- 1.77 Homes / Acre
- 31.5 Acres Open Space
- 32.0 % Open Space
- 6.42 Ac. Community Services
- 6.5 % Community Services



March 24, 1998
 Revised Legend 5/14/01
 Revised Lot Layout 1/18/01

EXHIBIT "C"
MAINTENANCE PLAN

EXHIBIT "C"

MAINTENANCE PLAN

The legal description set forth in Exhibit "A" consists of two parcels of land. The larger parcel is an un-platted property located between the northern boundary of Farmington Greens P.U.D. Plat 4 and the eastern and southeastern boundaries of Farmington Greens P.U.D. Plat 1A and 1B as well as future phases of the Farmington Greens P.U.D. as shown on the master plan in Exhibit "B". The smaller parcel will constitute all of Parcel A as shown on the final plat of Farmington Greens P.U.D., Plat 1D.

The maintenance plan for the larger parcel is as follows: The Owner of the Property, Golden Meadows Property LC, shall maintain the upland and wetland Open Space in compliance with the standards set forth in the conservation easement. Wetlands shall be maintained in accordance with the rules and regulations of the U.S. Army Corps of Engineers.

The cost of maintaining the conservation land shall be borne by the owner of the underlying fee of the conservation land. The owner shall at all times keep uplands and wetlands free of debris, junk and other related material. During the Spring, Summer, and Fall months the owner will mow and/or eradicate weeds and non native plants within the conservation area in compliance with the conservation easement but more particularly on land adjacent to lots in abutting subdivisions, public road and trail rights-of-way, drainage ways, and/or public detention basins.

In the event the property owner, or any successors or assigns thereto, fails to maintain all or any portion thereof in reasonable order and condition, the City may assume responsibility, as a right but not an obligation, for maintenance, in which case any funds owing to the City may be forfeited and any permits may be revoked or suspended.

The maintenance plan for the smaller parcel is as follows: The Farmington Greens Homeowners Association shall be responsible for the maintenance of Parcel A as identified on the final plat of the Farmington Greens P.U.D. Plat 1D. A fee shall be assessed to all lot owners within the P.U.D. for the purpose of funding the maintenance activities according to the procedures contained within the covenants, conditions, and restrictions (CC&Rs) for the development and a budget that has been adopted at the annual meeting of the Association. A lien may be placed on each lot according to the rules and regulations contained in this CC&Rs. The Association shall maintain the uplands and wetlands on Parcel A in compliance with the standards set forth in the conservation easement. Wetlands shall be maintained in accordance with the rules and regulations of the U.S. Army Corps of Engineers. Maintenance shall include, but not be limited to, all required planting or replanting of landscape areas, irrigation operations and costs, mowing, weeding, and cleaning.

During the Spring, Summer, and Fall months the uplands within Parcel A must be mowed at least bi-monthly. The association shall at all times keep uplands and wetlands free of debris and

junk and other related material. During aforementioned months, the Association will mow and/or eradicate weeds and non native plants within the conservation area in compliance with the conservation easement but more particularly on land adjacent to lots in abutting subdivisions, public road and trail rights-of-way, drainage ways, and/or public detention basins. The estimated.

In the event that the Association, or any successor organization thereto, fails to maintain all or any portion thereof in reasonable order and condition, than the owners of lots within Farmington Greens P.U.D. Plat 1D shall maintain the property as set forth herein. In the event that said owners, or any successors or assigns thereto, fails to maintain all or any portion thereof in reasonable order and condition, the City may assume responsibility, as a right but not an obligation, for maintenance, in which case any funds owing to the City may be forfeited and any permits may be revoked or suspended.

Corrective Action regarding both parcels. The City may enter the premises and take corrective action, including extended maintenance. The costs of such corrective action may be charged to the property owner and/or association and may include administrative costs and penalties. Such costs shall become a lien on said properties. Notice of such lien shall be filed by the City in the County Recorder's office. The Maintenance Plan and all other documents creating or establishing any association or conservation organization for the property shall reference the City's corrective action authority set forth herein and shall be recorded against the property.

EXHIBIT "D"
LIST OF ACCEPTED ENCUMBRANCES

CITY COUNCIL AGENDA

For Council Meeting:
April 19, 2016

S U B J E C T: Revisions to the Management Plan for Conservation Easements

ACTION TO BE CONSIDERED:

Direct Staff as to the process for consideration of revising the Management Plan for Conservation Easements on the west side of Farmington.

GENERAL INFORMATION:

See enclosed staff report prepared by Dave Millheim.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Dave Millheim, City Manager

Date: April 13, 2016

SUBJECT: **CONSIDERATION OF REVISED MANAGEMENT PLAN FOR CONSERVATION EASEMENTS**

RECOMMENDATION

Direct Staff as to the process for consideration of revising the Management Plan for Conservation Easements on the west side of Farmington.

BACKGROUND

Many years ago, the City acquired multiple conservation easements on the west side of Farmington as part of a unified planning effort to preserve open space and protect the natural habitat from future development. Large density bonus development rights were given to the developers and property owners of these parcels as compensation in order for the city to acquire the easements in perpetuity. These conservation easements include Buffalo Ranches, Farmington Meadows, Farmington Ranches and Hunter's Creek. Together they total 421.64 acres. While each was acquired at separate times, they all adjoin each other as well as the much larger Farmington Bay Wildlife Management Area managed by the State of Utah (see enclosed map). They are bordered by hundreds of Farmington homes on the east side and the Great Salt Lake on the west side.

Over the years, the City has managed these easements by controlling what may and may not take place on the ground. This is done through the easement guidelines and local zoning restrictions. The easements provide a great deal of habitat for multiple species and are crisscrossed with many trails used by the public for passive enjoyment of the area. The easements also allow the specific property owners agricultural uses within limits outlined in the easement declarations.

As most everyone knows, UDOT has selected a preferred alignment for the West Davis Corridor through the middle of these easements. No Record of Decision has been

reached on the actual alignment and UDOT is still involved in the EIS process with a Record of Decision expected in 2017. The City has objected to this alignment as we believe it effectively destroys the primary public purpose for which the easements were created. We also believe at the end of the day the easements may, and I stress may, be taken by eminent domain by the State of Utah. This legal point is debated as it is partially dependent on actions both the State and Farmington have taken in the past and may take in the future.

One of the challenges for Farmington is each easement was created with the specific requirement that the City actively protect the easements from all forms of development. Certainly, the building of a major highway through the middle of the easements qualifies as development and will have a significant impact on Farmington. To date, Farmington City has spent over \$550,000 in legal fees, engineering studies, habitat inventories, specific studies, etc., in an effort to protect and manage the easements from development.

The City has limited resources. We have not hired a full-time wildlife officer nor code enforcement officer to daily patrol the easements. We did not, until last year, do a detailed habitat study. We have declined requested amendments from property owners and others to use the easements outside of the intended purposes. Up to this point in time, we firmly believe we have used our best efforts and practices, within financial limits and common sense approaches, to protect the easements from development contrary to their intended purposes.

Nevertheless, there is a limit to how much the City can spend protecting these easements. Over half a million dollars is not a small amount of money for Farmington City. Some have hinted we should not worry about the costs involved in protecting these easements. While it is a guess, this number could easily top a million dollars depending on what steps the City and the State of Utah may take regarding the easements.

Both UDOT and Federal Highways have criticized the City, in writing, for the lack of a comprehensive management plan as to the purposes and goals of the public purpose conservation easements. The City went to Federal Highways with questions and interpretations regarding the conservation easements. In response to that inquiry, Federal Highways provided many comments. One of those comments was that we had not unified the easements as to purpose or name. Ordinance 2014-23 was adopted on June 17, 2014. That ordinance recognized the important functional aspect of the Conservation Values of these properties, but also recognized these easements are located adjacent to the Farmington Bay Wildlife Management Area to the South and are part of a network of similar refuge areas all along the Eastern shore of the Great Salt Lake. That ordinance also renamed the easements to clarify that these easements were collectively a passive public park with various restrictions in place.

Another major point raised by Federal Highways is that the City has not done a detailed management plan assessing a variety of areas. As a result the City spent the better part of the next year doing a detailed management plan and habitat analysis. The draft of this revised management plan was completed in July of 2015. During the same time this

revised management plan was being developed, City staff and elected officials met multiple times with UDOT officials attempting to address many issues of importance to both UDOT and the City. Due to these ongoing meetings, the potential consideration and adoption of the revised management plan was put on a temporary hold.

There are many reasons, both pro and con, as to whether to go forward with the adoption of a revised management plan. There are strong arguments on both sides and whatever the Council decides to do will affect many for generations to come. The Council has discussed the legal ramifications of both the WDC, revising the management plans, potential condemnation of our 1100 West Park and defending the conservation easements on many prior occasions. Staff understands and I hope Farmington residents understand the care and diligence the Mayor, City Council and staff have put into studying this important issue. Without going into too much detail, I will list a few of the pros and cons of moving forward with consideration of a revised management plan:

PROS of Adopting a Revised Management Plan:

1. It will set very specific guiding principles as to the purposes and allowed uses of the conservation easements.
2. It will demonstrate to all parties the City's specific intent and the important public purpose these conservation easements provide.
3. It will further demonstrate to UDOT, Federal Highways and residents all the City is doing to manage these conservation easements to their intended purpose.
4. It may lead to a forum where issues related to the UDOT preferred alignment for the WDC are more carefully addressed as the EIS process is completed.
5. It will involve property owners and all affected stakeholders to obtain their input.

CONS of Adopting a Revised Management Plan:

1. It will likely delay a final determination on the WDC alignment for a significant amount of time.
2. It might lead to a scenario where future City options in dealing with the impacts of the WDC will be limited with possible resulting negative consequences to the Shephard Lane area, future business park, area homes, and Oak Ridge Golf Course areas. This point deserves further explanation. While the City has publicly supported the Shepard Lane alignment versus the Glovers Lane alignment, there are significant negative impacts to this option if the Glovers Lane alignment is dropped and the Shepard Lane alignment is chosen. Regardless of which alignment may ultimately be selected, the City will have to live with that choice forever. Adoption of the revised management plan may significantly influence that outcome.
3. It could delay improvements to the sorely needed Shepard Lane Interchange for many years thus negatively impacting the Park Lane interchange, Lagoon and Station Park areas.

4. It could push the City into a protracted and expensive litigation process as it further attempts to defend the conservation easements from a taking by the State of Utah.
5. It will (unjustly so) create a paradigm where other local agencies believe Farmington is attempting to stop and/or alter the location of the WDC. This is should not be part of the discussion but perception and reality sometimes gets clouded. The adoption of a revised management plans should be kept apart from discussion of the potential WDC alignments but it is virtually impossible to do so in light of the issues involved.

It is very frustrating to Farmington staff and officials that we are paying a higher price than other communities for the location of this highway. The City has utilized innovative planning techniques and created an environment for continued economic development. The significant progress we have achieved is threatened by any decision the City makes. Farmington should not be judged or punished by other public officials for using good planning techniques which embrace clustered housing and transit oriented development, encourage a strong economic power center and preserves open space for public enjoyment. In spite of our best efforts to protect what has made Farmington a great place to live, work and play, some may attempt to spin our decisions out of context and this is wrong.

PROCESS SUGGESTIONS FOR CONSIDERATION OF THE REVISED MANAGEMENT PLAN:

All of the above was an attempt to provide a context for the discussion of this very important issue. The only action item staff is seeking clarification on is does the majority of the Council want to move forward with consideration of the revised management plan as presented? The current draft is attached. If the answer to that question is “YES”, you are not adopting the revised management plan at this time. You may only adopt the revised management plan after public input is obtained and the related noticed public hearings completed. As a result of that process you may 1) adopt the plan as presented, 2) modify it to reflect any changes desired as a result of the public input received, or 3) not adopt the revised plan.

Additionally, if the direction is to move forward with consideration of the revised plan, the Council should provide clear direction as to both the minimum and maximum process action steps. David Peterson has provided a memo (attached) which outlines the minimum required steps which we must follow. The City Attorney also provided the Council separately some legal issues you should be mindful of as you consider this matter. Beyond the minimum action steps outlined staff is recommending doing more noticing than normal due to the large microscope this area has been under by multiple parties. This is a very important issue which affects a lot of people and there are very strong community opinions related to these easements. Staff believes that in addition to the minimum action steps outline we should specifically do the following:

1. Before the first public hearing with the Planning Commssion, staff and selected Council representatives should meet with all affected property owners of record who own any property within the four conservation easements. Explain the purpose of the revised plan and actively listen to their concerns. This could involve hundreds of people since some of the ownership is within a very large HOA. Depending upon how the HOA leadership chooses to involve their membership may present scheduling challenges and will be time consuming.
2. Staff and Council representatives should meet with UDOT and ask for their written input as to the revised plan since they now own a very large portion of the Buffalo Ranch property.
3. Staff and Council representatives should meet with homeowners in the Shepard Lane area, property owners in the future business park area, CenterCal and Oak Ridge golf course officials who have expressed a desire to stay informed on any action related to potential changes to the UDOT preferred alignment.
4. Over notice the two required public hearings for the Planning Commission and City Council via the City Newsletter and web page beginning sometime in June based on the required notice provisions and time required to meet with the property owners and stakeholders.
5. Have selected Council members write pro and con arguments for revising the management plan and publish those in the June newsletter along with the notice of the public hearings.
6. Hold the public hearings in the Community Center to accommodate the expected large crowds.

CONCLUSION

I know some may think the above list, along with the required minimum process steps, may appear a bit over the top. Transparency is critical on this one and we should do more, not less than is required. No single issue will have a greater affect on Farmington for generations to come than the West Davis Corridor. The potential revision of the management plan for the conservation easements is a major subset of that project and affects the quality of life of thousands. Whatever decision the Council ultimately makes with the proposed revisions will determine the shape and direction the City takes with respect to the continued management of these conservation easements. Any decision made will affect significant areas of West Farmington. Not all parties will be affected equally. There will be winners and losers. The guiding principle for the Council should be all of Farmington and what it should look like many years from now. All residents of Farmington will bear the rising costs of any steps taken to either manage, protect or litigate the defense of these important conservation easements.

This is a work in process and things will change as public input is sought, discussions take place with the property owners and more information is obtained. All parties have worked long and hard to keep communication channels open and those efforts should continue.

Staff and the City Council also want in the public record to remind all concerned parties that Farmington is in a very difficult position. If the Glovers Lane alignment is chosen, twenty years of land planning is being sacrificed for a highway of questionable need. 400+ acres of conservation easements which the City pledged for public purposes to thousands of residents abutting them to preserve as open space will be destroyed. The important wildlife habitat nature of the conservation easements will be adversely affected. A needed interchange at I-15 and Shepard Lane benefiting Farmington, Kaysville and Fruit Heights residents is being delayed. The proposed alignment bypasses a major transit station, economic, recreation and employment centers in Farmington. If the Shepard Lane alignment is selected, homes will be condemned, the Oak Ridge golf course altered and plans for our future Class A Business Park will be significantly affected.

Clamor is very high on this one as the stakes are quite high. It is very important that the City listen carefully to all the affected parties, study the revised management plan and make our decisions accordingly.

Respectfully Submitted

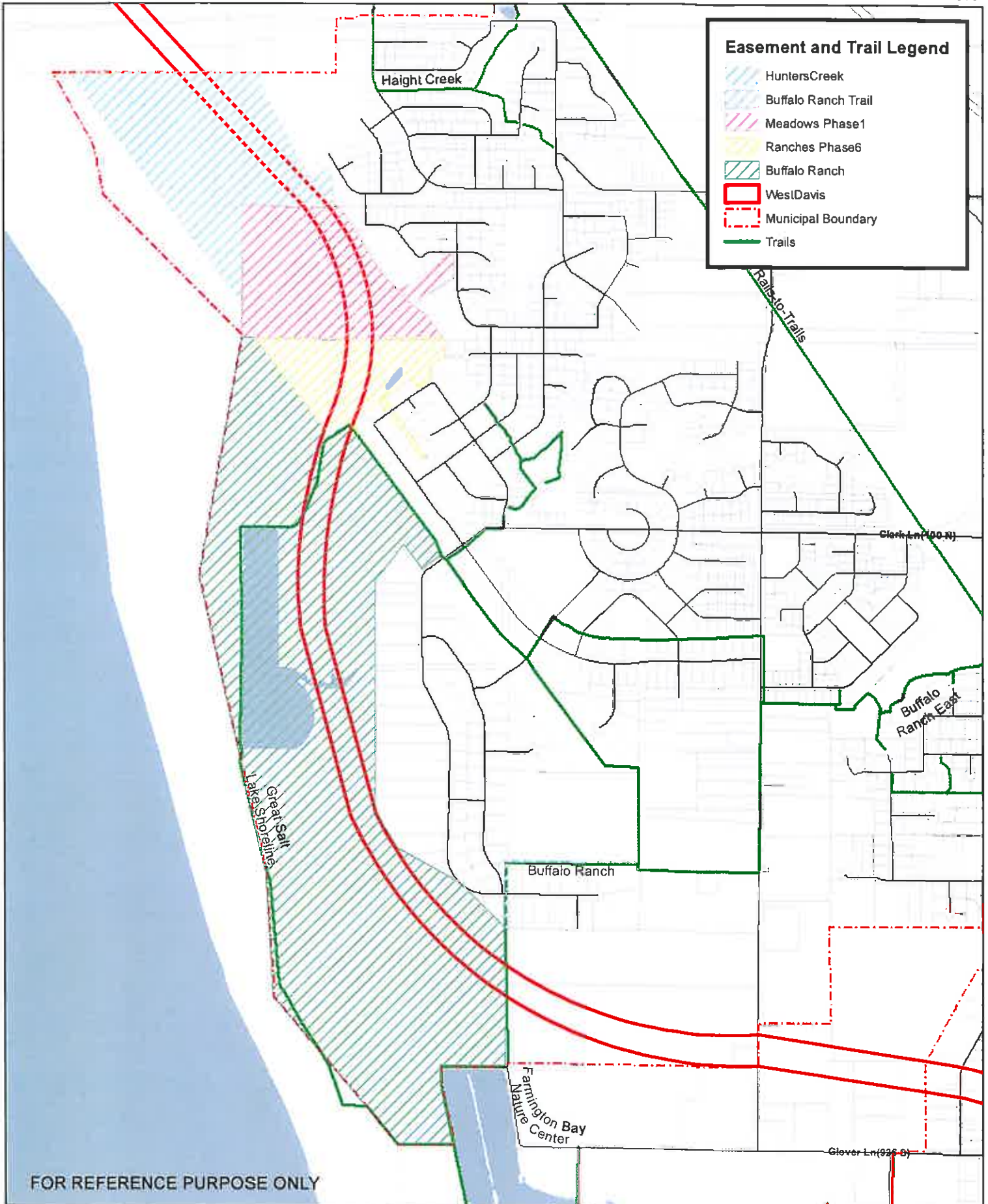


Dave Millheim
City Manager

Farmington City



Date: 7/30/2013





FARMINGTON CITY

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MEYER
CORY R. RITZ
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

To: Dave Millheim, City Manager

From: David Petersen, Community Development Director *DEP*

Date: April 19, 2016

SUBJECT: **PROCESS MEMO—MANAGEMENT PLAN/PARK**

On June 17, 2014, the City Council, after receiving a recommendation from the Planning Commission, adopted an ordinance designating land encompassed by the Hunter's Creek, Farmington Meadows Phase 1, Farmington Ranches Phase 6, and Buffalo Ranch conservation easements as "The Farmington City Conservation, Recreation, Wildlife and Waterfowl Refuge and Park". Farmington City is the grantee for each conservation easement and is responsible for the management thereof in that the City must perpetually ensure that the provisions of each easement are met and that the purpose and conservation values related thereto remain intact. Accordingly, the ordinance also provided for the "Continued Management Thereof". In the intervening months it became evident that a more specific plan may help the City better fulfill its management responsibilities and the purposes of the park.

The City contracted with Mindy Wheeler to prepare a management plan. If the City desires to continue this effort, it is recommended that the City re-adopt by ordinance the Park designation—this enabling document will better accommodate the new management plan. This is a land use ordinance and adoption thereof should follow the Land Use Management Act (LUDMA) in State Code. As per your request, a process for adopting the management plan and ordinance, including adherence to LUDMA, is set forth in the following table:

PROCESS		Approval or Reviewing Entity
1.	Finalize the draft management plan and ordinance with input from the fee title owners of the property.	Staff
2.	Post Notice for a public hearing for the Park Ordinance at least 10 days in advance of the Planning Commission meeting.	Staff
3.	Hold a public hearing for the Park Ordinance, and concurrently receive input regarding the Management Plan, and provide a recommendation to the CC.	PC

4.	Post Notice for a public hearing for the Park Ordinance in advance of the City Council meeting [note: a public hearing is not necessary for the CC, but recommended].	Staff
5.	City Council—hold a public hearing for the Park Ordinance, consider the PC recommendation, and concurrently receive input regarding the Management Plan, and vote whether or not to modify the Ordinance and Plan, adopt it as written, or deny it [note: a public hearing is not required, but the CC must decide on such matters at a public meeting].	CC



City of Farmington

Farmington City Conservation, Recreation, Wildlife and Waterfowl Refuge and Park



Management Plan

July 2015

Submitted by:



WP Natural Resource Consulting, Inc.

Ph. 801.699.5459

Farmington City Conservation, Recreation, Wildlife and Waterfowl Refuge and Park Management Plan

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Executive Summary

Project Description and Goals

The goals and objectives of this management plan for the Farmington City Conservation, Recreation, Wildlife and Waterfowl Refuge and Park (heretofore "Park") is to provide and pursue a better understanding of the nature, extent, and condition of the natural resources within, and adjacent to the Park. The understanding of the Park's role in the regional ecosystem will then be combined with effective stewardship practices and actions to help sustain those resources into the future to assure the conservation values as prioritized in the ordinances governing the Park and set forth in each Conservation Easement are maintained. The Park is an amalgamation of 4 separate conservation easements that were combined for management purposes through a City Ordinance to allow the natural resources to be managed more consistently in order to serve the primary purpose of this park as a wildlife and waterfowl refuge. This **Management Plan** is a comprehensive document of findings provided to the City of Farmington as a resource to help identify appropriate goals, guidelines and potential threats to the park resources, as well as to provide prioritized recommended measures to help protect and sustain the wildlife and waterfowl refuge areas of the Park. The work accomplished to date demonstrates that the entire Park functions as a sustainable wildlife and waterfowl refuge, which will be protected as such by Farmington City. Through the Management Plan process, it will be possible to continue to provide the incidental, yet high quality passive recreation and park opportunities to visitors in a natural setting.

Significant Wildlife and Waterfowl Related Natural Resources

After natural resource surveys and assessments were conducted by WP NRC Inc, it became clear the Park has many important and significant wildlife and waterfowl related natural resources. These resources and their respective locations are shown in **Figures 1 through 5**. The Park's resources vary in their condition, as some impacts can be seen from past land use activities of livestock grazing and water management activities, and from current issues such as noxious weed invasion and potential easement violation issues.

The **wildlife** resources at the park that are of particular interest include (**Figures 1 thru 5**):

- ☐ **Abundant waterfowl** activity at Buffalo Pond and other open water as well as on the native emergent marsh areas of the Park.
- ☐ **Abundant shorebird use** – Two state sensitive species, the American white pelican and the long billed curlews use the park. Numerous pelicans use Buffalo Pond for loafing and long billed curlews use the grass meadows directly adjacent to the lake.
- ☐ **Snowy plover habitat** – this **federally threatened** shorebird can use the saline playas just north of Buffalo Pond as foraging and possibly nesting habitat
- ☐ **Raptor use** - Bald eagles have been seen loafing in the cottonwoods adjacent to Buffalo Pond and kestrels and other raptors hunt in the upland meadows.
- ☐ **Small mammal habitat**- Throughout the Park, numerous small mammal burrows (chiefly mice - *Microtis* spp) provide food for many of the raptors in the area.
- ☐ **Egrets, common yellow throat and Soras** were all noted using the emergent marshes on the Park

- ☞ **Successful red tail hawk nest** - there is an occupied nest currently located on a central power pole within the Park.

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Figure 1. Significant Wildlife and Waterfowl locales at the Park (1 of 5)

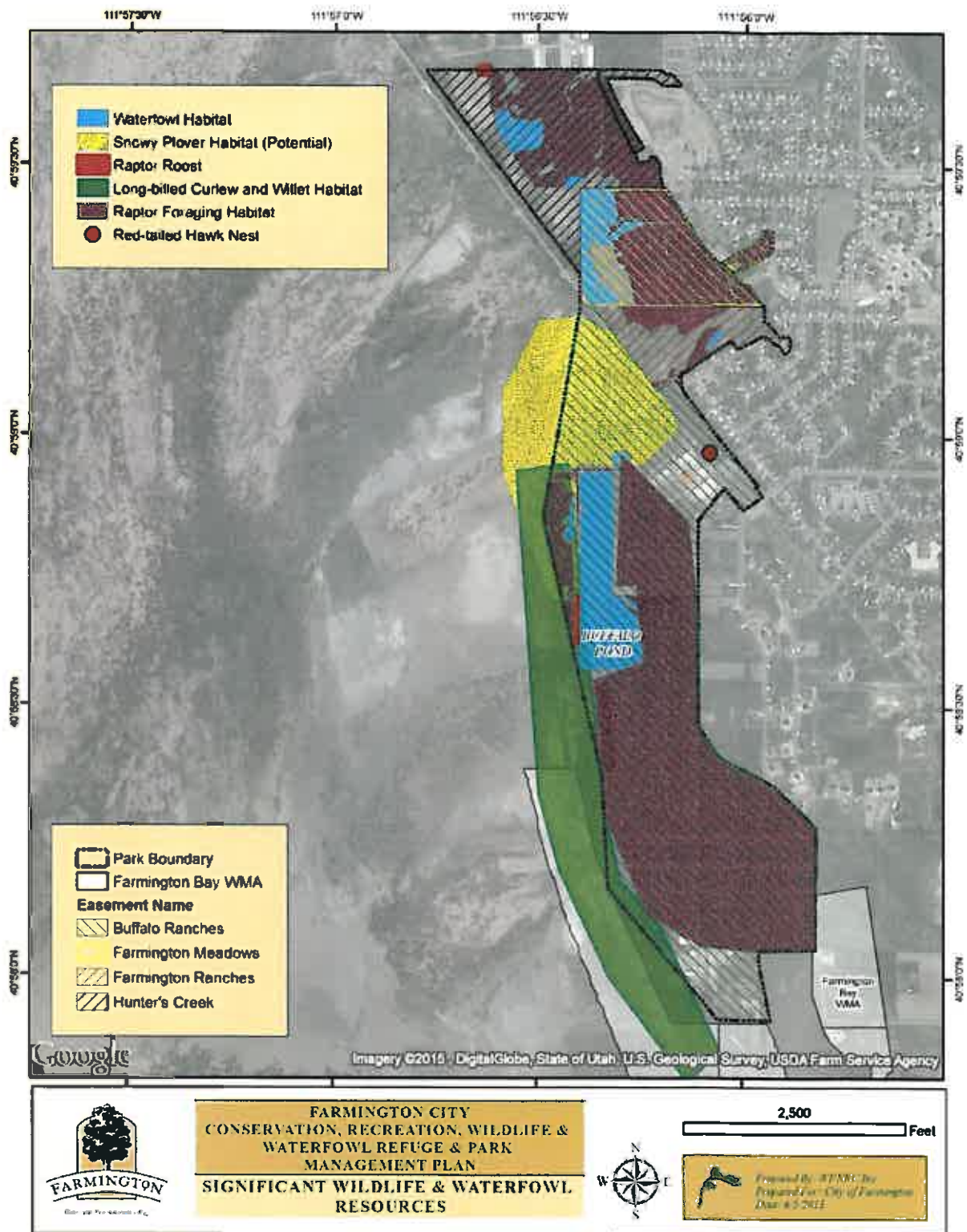


Figure 2. American Pelican Foraging Habitat at the Park

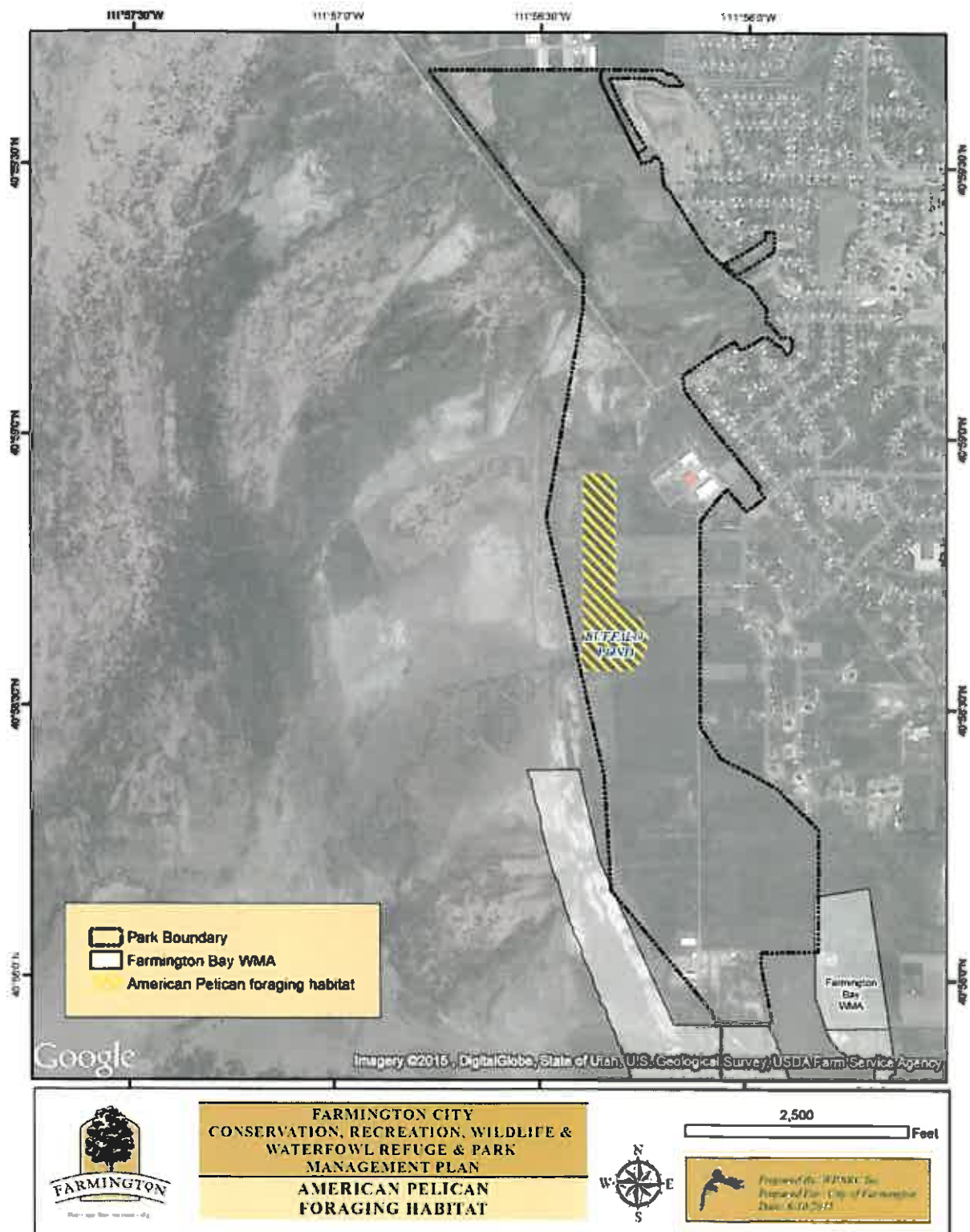
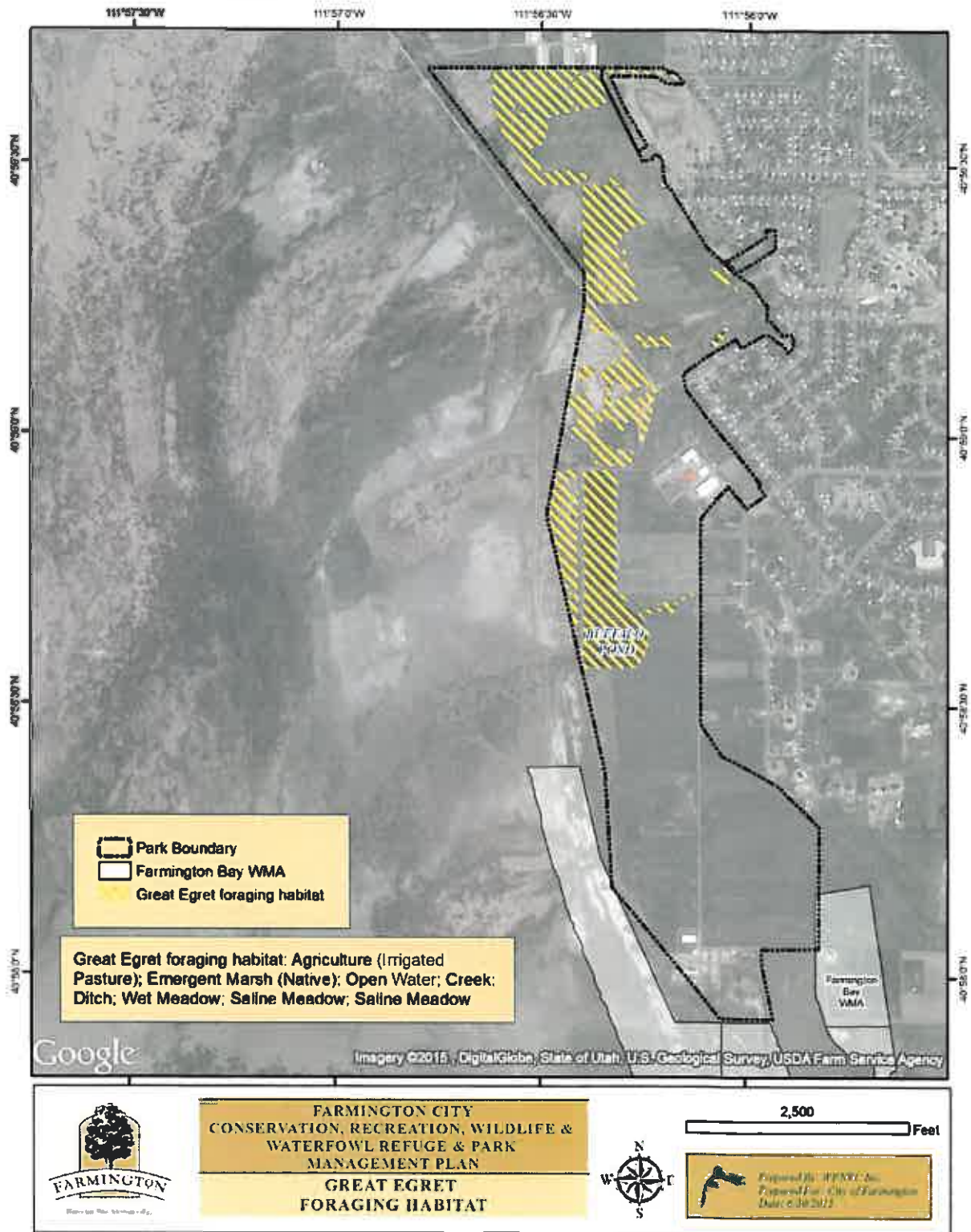


Figure 3. Great Egret Foraging Habitat at the Park



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Figure 4. Western Grebe Potential Nesting Habitat at the Park

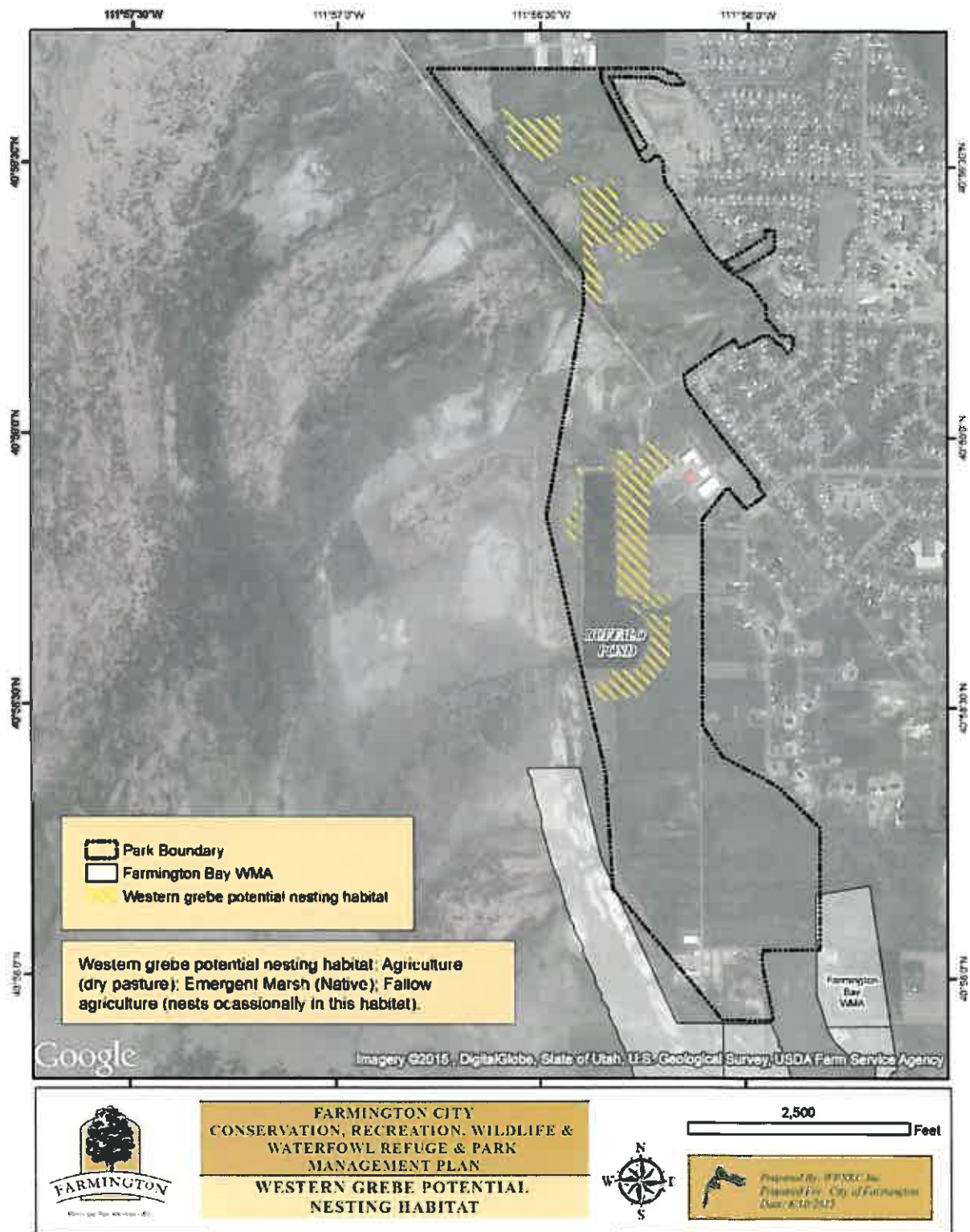
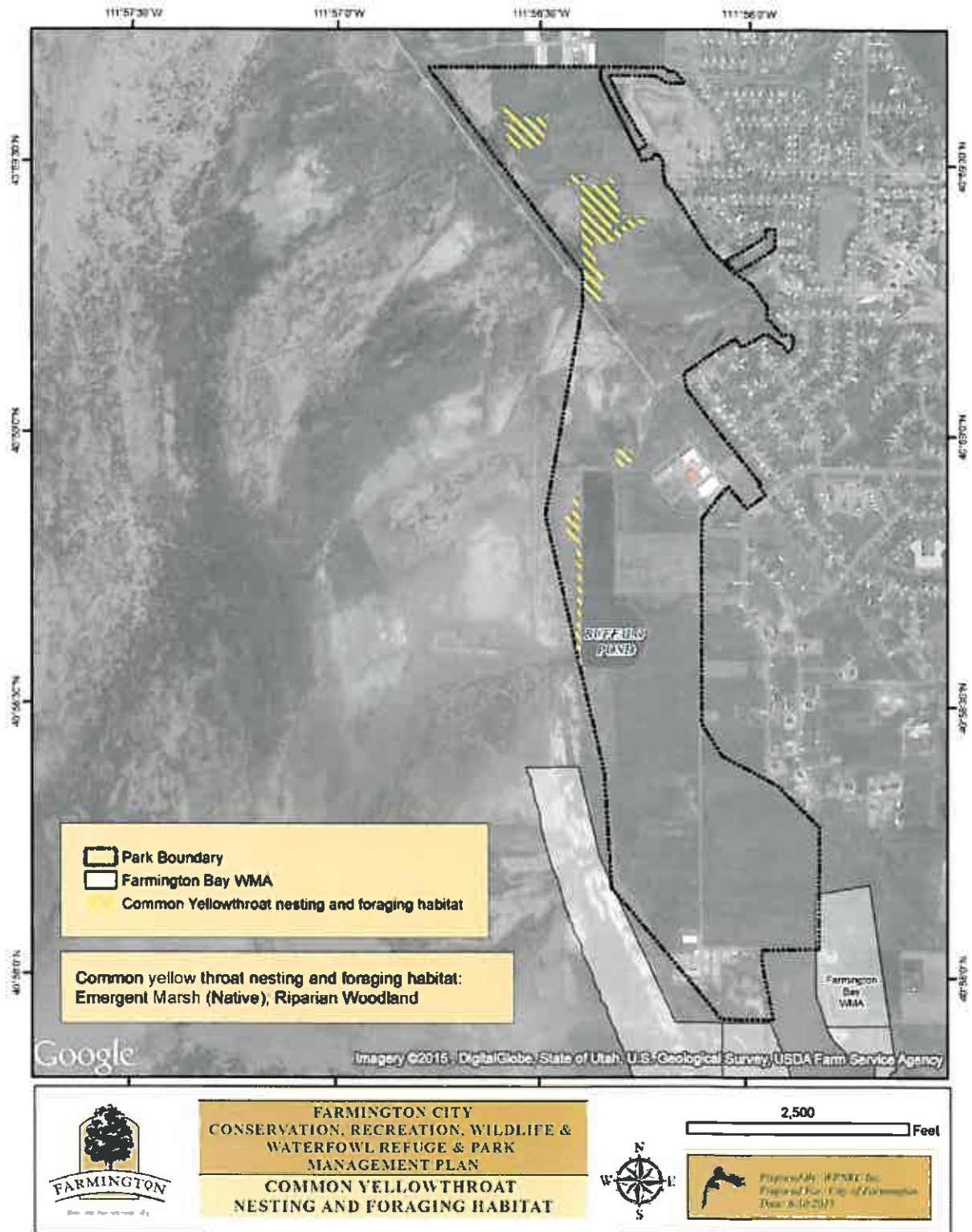


Figure 5. Common Yellow Throat Potential Foraging and Nesting Habitat at the Park

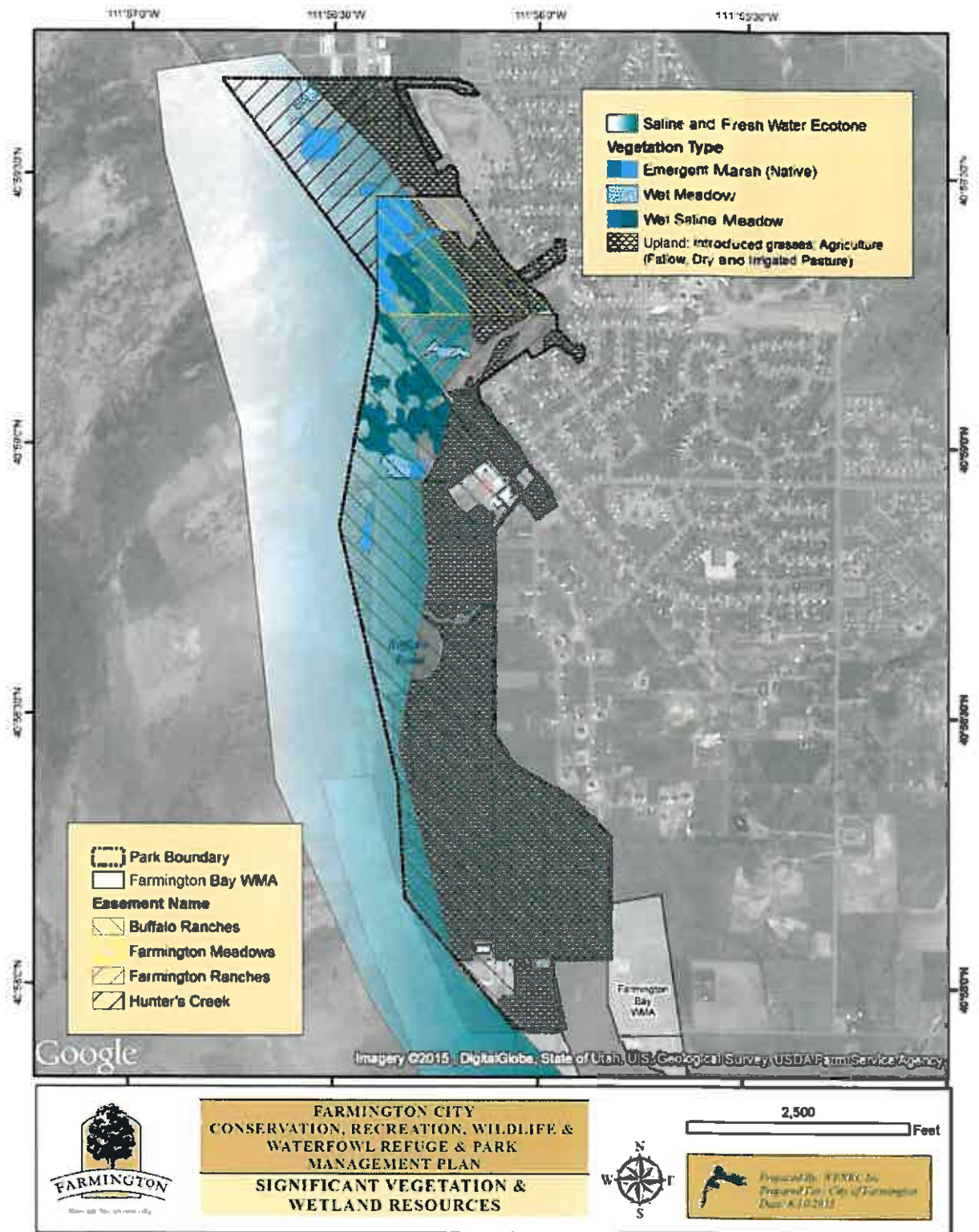


The **vegetation and wetland** communities at the Park provide a mosaic of habitats for wildlife and waterfowl as well as for improved water quality and water retention. See **Figure 6**

- ▣ **Ecotone between fresh and saline environments** - The intersection of the saline environment of the Great Salt Lake and the fresh water flowing west through the property provides an overlap of habitats for vegetation and wildlife species dependent upon each of these environments, making the diversity of the area exceptionally high.
- ▣ **Wet Fresh meadows** – This wetland type is unique and thus very important in the surrounding arid environment. These meadows provide important functions such as flood abatement, water retention, improved water quality and wildlife and waterfowl habitat.
- ▣ **Wet Saline Meadows** – this is a unique vegetation community found around the Great Salt Lake that includes specialized plant species that can tolerate extremely saline conditions and provides habitat for many shorebirds. It is also important for flood attenuation, water retention, improved water quality and wildlife and waterfowl habitat.
- ▣ **Emergent Marsh** This vegetation type provides habitat for numerous waterfowl and other birds as well as serving ecological functions such as water retention, flood attenuation and water quality improvement.

The combination of 1) numerous different habitat types, 2) limited permitted uses that are not inconsistent with the primary purpose of the Park, and 3) the location of the Park along the shores of the Great Salt Lake and directly adjacent to Farmington Bay Wildlife Management Area provides for abundant opportunity for waterfowl and wildlife to utilize the riches of the area without persistent disturbance from humans. Disturbance from humans could jeopardize their health and/or survival. Further, proper management of the agricultural uses (livestock grazing) in certain areas of the Park allows continued use of the area by wildlife and waterfowl and is thus consistent with the primary function of the Park as a wildlife and waterfowl refuge. Properly controlled livestock grazing is one of the most powerful and effective land management tool to modify habitats as needed to improve habitat quality and/or quantity for wildlife and waterfowl.

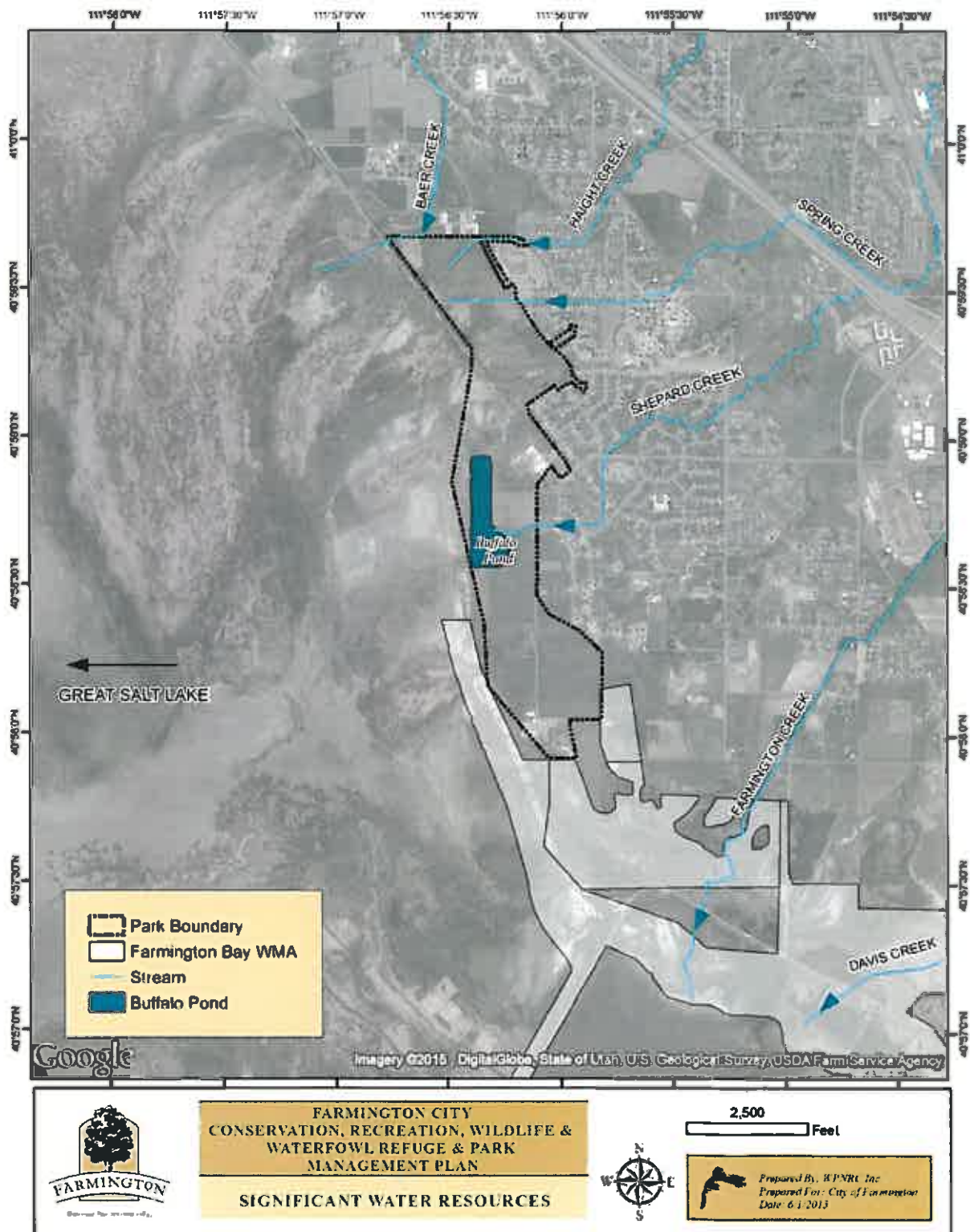
Figure 6. Significant Vegetation and Wetland Resources



The numerous freshwater resources at the Park are of great importance to the function of the Park as a wildlife and waterfowl refuge. Four creeks flow through the property in this otherwise arid area (**Figure 7**). These four creeks are:

- ▣ **Haight Creek-** Flows into the property along the northern border after the creek flows through Farmington. The Creek is heavily used by the Haight Creek irrigation company for the Kaysville area. The creek can be totally dry at some times of the year, but can flow up to 2 cubic feet per second (cfs).
- ▣ **Baer Creek-** Flows into the property from the north. The Creek flows by the Central Davis Sewer District, but they do not discharge into Baer Creek. Baer Creek is an ephemeral creek and varies in flow volumes from 1-2 cfs (cubic feet per second) to around 24 cfs.
- ▣ **Shepard Creek –** Flows into the property from the mountains east of Farmington. Shepard Creek is also used for irrigation water. Shepard Creek fills Buffalo Pond before it is discharged into the Great Salt Lake.
- ▣ **Spring Creek –** Flows into the central portion of the property and is also an ephemeral flow. Spring Creek originates at a spring just west of Interstate 15.

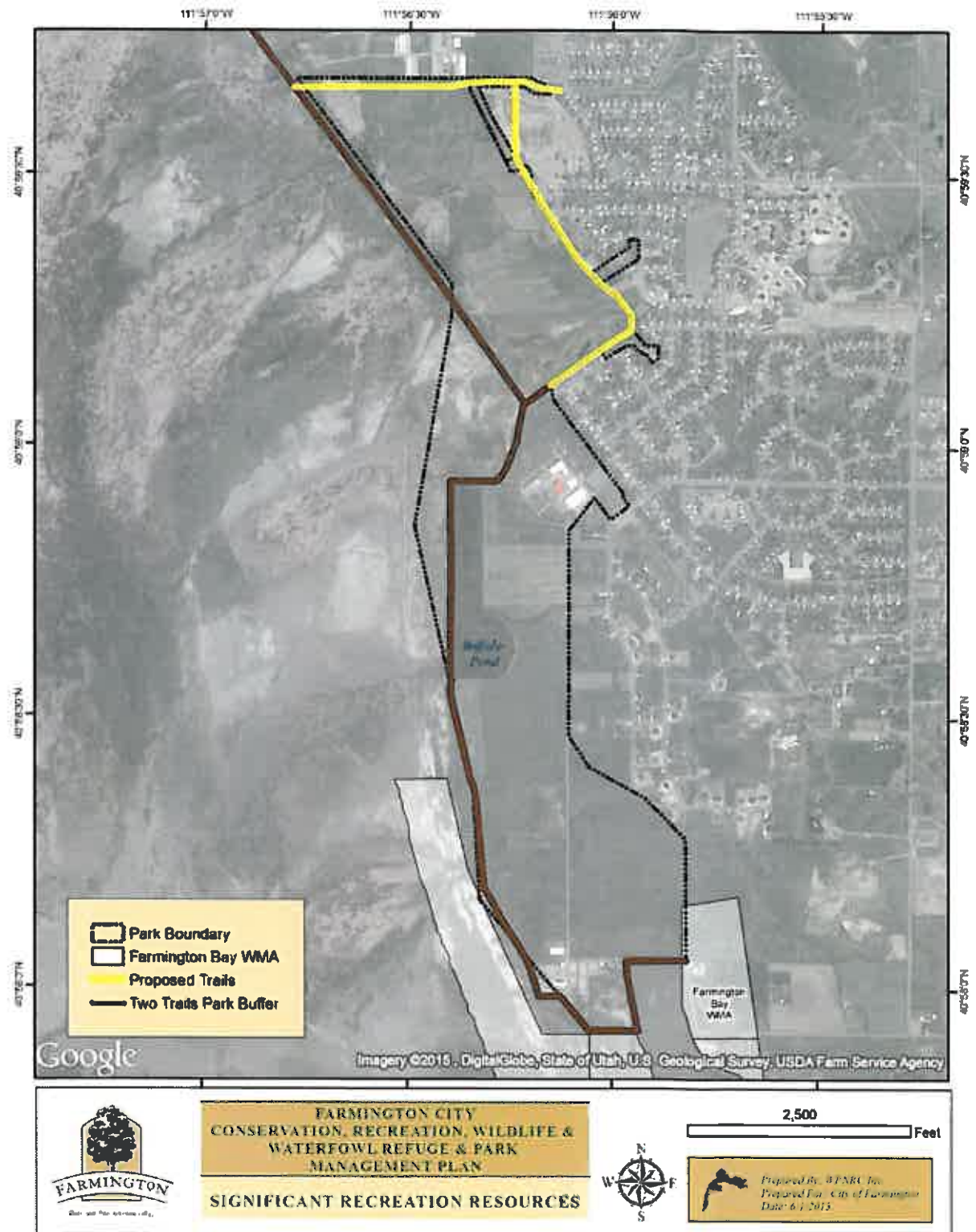
Figure 7. Significant Water Resources



The **recreational opportunities** of the Park are unique in the area and include (**Figure 8**):

- ▣ **A Trail network** - though chiefly around the edges of the property, it allows residents to enjoy the Park on foot, on a bicycle or on horseback for exercise and a nature experience, while allowing wildlife and waterfowl to remain relatively undisturbed. Proposed trails are planned for passive use to remain on the edges of the Park for this reason.
- ▣ **Passive recreation** – Residents often use the trails to watch birds. Exciting bird presence can often be seen on Buffalo Pond, in playas, saline meadows, upland meadows and emergent marshes throughout the Park as well as any area toward the Great Salt Lake.

Figure 8. Significant Recreation Resources



There are also conditions at the Park that threaten some of these wildlife and waterfowl resources. These conditions include:

- **Weed infestations** and introductions of exotic species. In particular, the purple loosestrife (*Lythrum salicaria*) found on the property can be an aggressive invader of wetlands that can negatively alter the health of the wetland communities. Other species in need of control include common reed (*Phragmites australis*), tall white top (*Lepidium latifolium*) and Scotch thistle (*Onopordum acanthium*). The invasion and spread of purple loosestrife can negatively modify the function of the ecosystem by modifying the structure and composition of the wetland vegetation. This in turn can reduce food and cover availability for wildlife and waterfowl.
- **Conservation Easement Violations** – Regular enforcement of the values to be preserved under the conservation easements helps to maintain the lands in good condition while preserving the conservation values for future generations. Easement violations can include such things as illegal trash dumping, illegal soil dumping or illegal storage of trailers or other debris on the Park. These violations can remove and/or degrade valuable habitat for wildlife and waterfowl.
- **Feral Cat population**- Feral cats can have a strong negative influence on wildlife and waterfowl populations in the Park. Cats have been known to decimate birds and small mammal populations. The unchecked loss of small mammals and birds at the park upsets the balance of the food chain as raptors will need to burn more calories to hunt for food elsewhere and birds are unable to sustain their populations.

Management Goals and Objectives

The following section lists the significant features at the park and then below each one is a specific resource-based **objective** designed to protect the resource. Then there are **actions**, plans or best management practices to reach these objectives and a monitoring plan to determine if the objectives are being met.

Waterfowl and Wildlife

The Park is heavily used by waterfowl and wildlife and is an important loafing area for them as well as a bird watching delight for the local community. Its location adjacent to the Great Salt Lake nestled between other wildlife refuges along the shore creates a relatively continuous expanse of a variety of habitats for an equally diverse number of birds dependent upon the Great Salt Lake during migration stopovers for their primary life sustaining needs during spring and fall flights. The Great Salt Lake ecosystem depends upon both the mineral rich saltwater and the freshwater delivered to the lake from this Park and other inputs to support and sustain the ecosystem and thus the multitude of waterfowl and wildlife dependent upon it.

Objective: Maintain and improve conditions for waterfowl, shorebirds, raptors, herptofauna, and small mammals throughout the Park.

Actions/Plans/BMPs: Consider raptor perches in the upland meadows to encourage more raptor use. Consider planting vegetation around Buffalo Pond and other areas to improve wildlife habitat. Work with the local chapter of the Audubon Society to do regularly scheduled bird and breeding bird surveys. Work with Davis County on increasing the trapping of feral cats at the Park.

Monitoring: Coordinate with local chapter of the Audubon Society to conduct regular surveys of the Park to better understand the extent and seasonal uses of the Park by the different guilds of birds. Monitor the

abundance and distribution of small mammals, particularly before and after a feral cat trapping program has been implemented

Vegetation and Wetlands

The vegetation and wetlands in the Park are directly connected to the Great Salt Lake – a globally important ecosystem, particularly for migrating birds. The mosaic of wet fresh meadows, saline meadow, emergent marshes, saline playas, fallow agricultural fields, and irrigated pastures provides life sustaining needs for many wildlife and waterfowl species in a relatively small area.

Objective: Improve the condition of uplands, wetlands and riparian areas to a better and more functional condition. Improve levels of diversity, structure, and increase the dominance of native species. Prevent the spread of noxious weeds.

Actions/Plans/BMPs (Best Management Practices): Control phragmites weeds through integrated management (chemical and mechanical means) to open up wetland areas. Replace non-native phragmites with native bulrushes. Remove Russian olives and plant with native cottonwoods and/or willow. Strategically control other noxious weeds in the upland areas to allow for desirable vegetation to take hold. Complete and implement a grazing management plan to better understand the past and current stocking rates, pasture rest periods and overall grazing intensity and possible effects on wildlife habitat effectiveness.

Monitoring: Establish permanent vegetation transects in areas to be improved to be able to quantify changes. Understand and monitor livestock use to assure the Conservation Values are being upheld.

Recreation Opportunities

Trails within the park are an important community benefit that will likely be expanded in the future as Farmington grows. A trail along the edge of the Hunter Creek Conservation Easement is proposed to allow visitors to experience more of the park while leaving the central area of the Park free of human intrusion to allow the wildlife to remain undisturbed

Objective: Maintain a variety of recreational opportunities such as hiking, biking, horseback riding, bird watching and educational opportunities for the local and regional community, while assuring most wildlife and waterfowl are left undisturbed

Actions/Plans/BMPs: Continue to maintain trails, provide additional trail connections where possible while ensuring conservation values are maintained. Ensure city staff understands the sensitive resources on the property and what constitutes an easement violation. Cultural surveys should be conducted as further Park development occurs to determine the potential location and extent of historic structures or articles.

Monitoring: Conduct monitoring of trail use and type of use at strategic locations to understand the use numbers and trends on the properties.

Water Quantity and Quality

Continued development of Farmington likely translates to more paved surfaces. The resulting storm drains that discharge onto the Conservation Easements will likely carry more water in the future.

Objective: To maintain and/or improve surface water quality reaching the Park.

Actions/Plans/BMPs: Work with the City of Farmington and Davis County Environmental Health Department to install trash racks and/or drain guards to remove debris and contaminants from the water prior to it reaching the Park. Place interpretive signs regarding storm water management to inform visitors and the community.

Monitoring: Monitor water quality above and below storm water discharge points if possible. Keep a photo log of debris cleaned from trash racks.

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Chapter 1 – Purpose

Purpose of this Plan

The purpose of this plan is to encourage the best possible management of natural resources at the Park to ensure the primary purpose of the Park as a wildlife and waterfowl refuge area is maintained and, over time, improved. This will require ensuring the continued maintenance of the stated conservation values in the Conservation Easements related to the refuge purposes while providing public access, but only where it is congruent with these objectives. This requires identifying the nature and extent of the natural resources the Park, developing guidelines to facilitate a better understanding of these resources, and provide suggestions for both short-term and long term management. The process includes an examination of each natural resource through field work and research and collecting GIS data. From this work, a list of resource objectives is generated, a list of actions to try to meet objectives is created, and monitoring suggestions are given to observe trends over time and to be able to halt or reverse any negative trends in the natural resources (e.g. reduced water quality, increased erosion, increased noxious weed presence).

This integration of specific resource objectives into this and successive Management Plans for the Park is key to ensuring the sustainability of the resources and thus honoring the conservation values and the primary purpose of a wildlife and waterfowl refuge. This plan should be updated every five years.

The actions, plans or studies will require money and time to implement. As a result, they are prioritized to assure the most important activities take place first. The City staff should then turn these lists into a long term budget and a set of work priorities for each year. Additionally, the City staff may be able to involve some academics, volunteers or agency people to accomplish some of the studies or plans for a low cost. It may also be possible to get grants to address some of the issues.

Guiding Documents

Beginning in 1998, the City took action to support the acquisition of conservation easements and then successfully placed four conservation easements on the Park properties. These actions were taken to assure little to no development occurred in areas with high flooding risk adjacent to the Great Salt Lake, and to serve as open space for the community. Each parcel within the Park has a written Conservation Easement in which conservation values, permitted uses, conditional uses and prohibited uses are stated. The Conservation Easements are in the process of being amended to further bolster these conservation values, with the wildlife and waterfowl refuge as the primary purpose.

Buffalo Ranch CE (Owned by Viking Real Estate, LLC)

Stated Conservation values - "The property possesses unique and sensitive natural, scenic, open space, wildlife, farmland, floodplain and/or wetland values." The purpose of the easement is "...to assure that the property will be retained forever in its natural scenic agricultural and/or open space condition."

Permitted Uses (as defined in easement) include:

- Livestock grazing (provided good range stewardship shall not exceed a degree of use described as good to excellent by the USDA NRCS and shall not materially degrade or deteriorate the range resource, wildlife habitat or conservation values)
- Equestrian facilities (riding arena would entail a conditional use permit)

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- Underground utility facilities and easements for drainage, sewer (subject to restoration within 90 days)
- Public streets approved by the City (delineated in Exhibit B)
- New fencing only as needed
- Existing agricultural and residential structures and improvements within reason

Conditional uses:

- Community open spaces, gardens, shooting ranges other commercial uses in areas delineated in Exhibit B
- Accessory buildings used solely for agricultural purposes in areas delineated in Exhibit B.
- Educational structures and improvements only in designated area in Exhibit B
- Water structures, improvements, marshlands, wetlands and riparian communities may be established, constructed and maintained provided they are consistent with the conservation easement purposes.

Prohibited uses: There are 16 specific prohibited uses outlined in the conservation easement, but essentially they pertain to 'the change, disturbance alteration or impairment of the significant natural ecological features and values of the property or the destruction of other significant conservation interests on the property.'

Existing Management (Maintenance) Plan: Viking Real Estate will do the following tasks: irrigation, weed abatement, lawn care and landscaping, mowing of pasture lands fence upkeep, road upkeep, building upkeep, and other tasks needed to maintain operations thereon.

Hunter's Creek CE (owned by Woodside Hunters Creek, LLC)

Stated Conservation Values: "The property possesses unique, sensitive, natural, scenic, aesthetic, open space, wildlife, agricultural, pasture land, ecological, floodplain, upland and wetland values."

Permitted Uses (as defined in easement) include:

- Livestock grazing (provided good range stewardship shall not exceed a degree of use described as good to excellent by the USDA NRCS and shall not materially degrade or deteriorate the range resource, wildlife habitat or conservation values) (areas delineated in Exhibit B)
- -Underground utility facilities and easements for drainage, sewer (subject to restoration within 90 days)
- New fencing only as needed
- Existing agricultural and residential structures and improvements within reason

Conditional uses:

- Non-commercial and non-motorized recreational use
- Community open spaces, gardens, village greens (Excludes shooting ranges other commercial uses in areas delineated in Exhibit B)
- Accessory buildings used solely for agricultural purposes in areas delineated in Exhibit B.
- Water structures, improvements, marshlands, wetlands and riparian communities may be established, constructed and maintained provided they are consistent with the conservation easement purposes.

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Prohibited uses: There are 16 specific prohibited uses outlined in the conservation easement, but essentially they pertain to 'the change, disturbance alteration or impairment of the significant natural ecological features and values of the property or the destruction of other significant conservation interests on the property.'

Management (Maintenance) plan highlights

- All management responsibilities are up to Woodside Hunters Creek LLC
- Flow path of streams shall be maintained by Davis County, stream banks are responsibility of Woodside
- Wetlands maintained in accordance with and subject to rules and regulations of US Army Corps of Engineers (USACE)
- Any revegetation plan should be submitted to the city

Farmington Meadows CE (Owned by Christensen Land Company, LLC)

Stated Conservation Values: The property possesses unique and sensitive, natural, scenic, aesthetic, open space, wildlife, ecological, floodplain, riparian communities and/or wetland values

Permitted Uses:

- Livestock grazing (provided good range stewardship shall not exceed a degree of use described as good to excellent by the USDA NRCS and shall not materially degrade or deteriorate the range resource, wildlife habitat or conservation values) (areas delineated in Exhibit B)
- Underground utility facilities and easements for drainage, sewer (subject to restoration within 90 days)
- New fencing only as needed

Conditional uses:

- Non-commercial and non-motorized recreational use
- Community open spaces, gardens, village greens (Excludes shooting ranges other commercial uses in areas delineated in Exhibit B)
- Accessory buildings used solely for agricultural purposes in areas delineated in Exhibit B.
- Existing agricultural and residential structures and improvements within reason
- Water structures, improvements, marshlands, wetlands, riparian communities and ponds maybe established, constructed and maintained, provided they are consistent with the purpose of the easement

Prohibited uses: There are 17 specific prohibited uses outlined in the conservation easement, but essentially they prohibit the change, disturbance alteration or impairment of the significant natural ecological features and values of the property or the destruction of other significant conservation interests on the property.

Management (Maintenance) Plan – 3 stated maintenance areas

1. Cross project and shoreline trails (maintained by the City)
2. Wetland and upland open space within Parcel D will be maintained by the developer Boyer Farmington Meadows, L.C.

3. Wetland and upland areas outside of Parcel D will be maintained by the Farmington Meadows Homeowners Association or their authorized assign in accordance with the landscape plan submitted as part of each phase of the project and subject to others and conditions of the Development Agreement

Farmington Ranches CE (owned by Spencer J and Elizabeth R Moffat.)

Stated Conservation Values: The property possesses unique and sensitive, natural, scenic, open space, wildlife, farmland, floodplain, and/or wetland values.

Permitted Uses:

- Livestock grazing (includes raising crops) provided good range stewardship shall not exceed a degree of use described as good to excellent by the USDA NRCS and shall not materially degrade or deteriorate the range resource, wildlife habitat or conservation values (areas delineated in Exhibit B)
- Equestrian facilities for class "B" animals (a riding arena would require a conditional use permit)
- Underground utility facilities and easements for drainage, sewer (subject to restoration within 90 days)
- Public streets approved by the City of Farmington in designated areas
- New fencing only as needed
- Improvements and maintenance to existing agricultural structures. Although not encouraged, new buildings and other structures or improvements to be used primarily for agricultural purposes including residential structures used solely to house farm owners, tenants and employees (as designated on Exhibit B)

Conditional uses:

- Non-commercial and non-motorized recreational use
- Community open spaces, gardens, village greens (Excludes shooting ranges other commercial uses in areas delineated in Exhibit B)
- Accessory buildings used solely for agricultural purposes in areas delineated in Exhibit B.
- Existing agricultural and residential structures and improvements within reason
- Educational structures as delineated in Exhibit B
- Water structures, improvements, marshlands, wetlands, riparian communities and ponds maybe established, constructed and maintained, provided they are consistent with the purpose of the easement

Prohibited Uses: There are 16 specific prohibited uses outlined in the conservation easement, but essentially they pertain to the disallowance of 'the change, disturbance alteration or impairment of the significant natural ecological features and values of the property or the destruction of other significant conservation interests on the property.'

Management:

There are 5 areas with different ownership and thus management responsibilities:

- 1)Neighborhood Open Space, 2)Cross Project and Shoreline Trails 3)Project Setbacks

4)Upland and wetland Open Space and 5)Upland and Wetland Open Space within Conservancy Lots

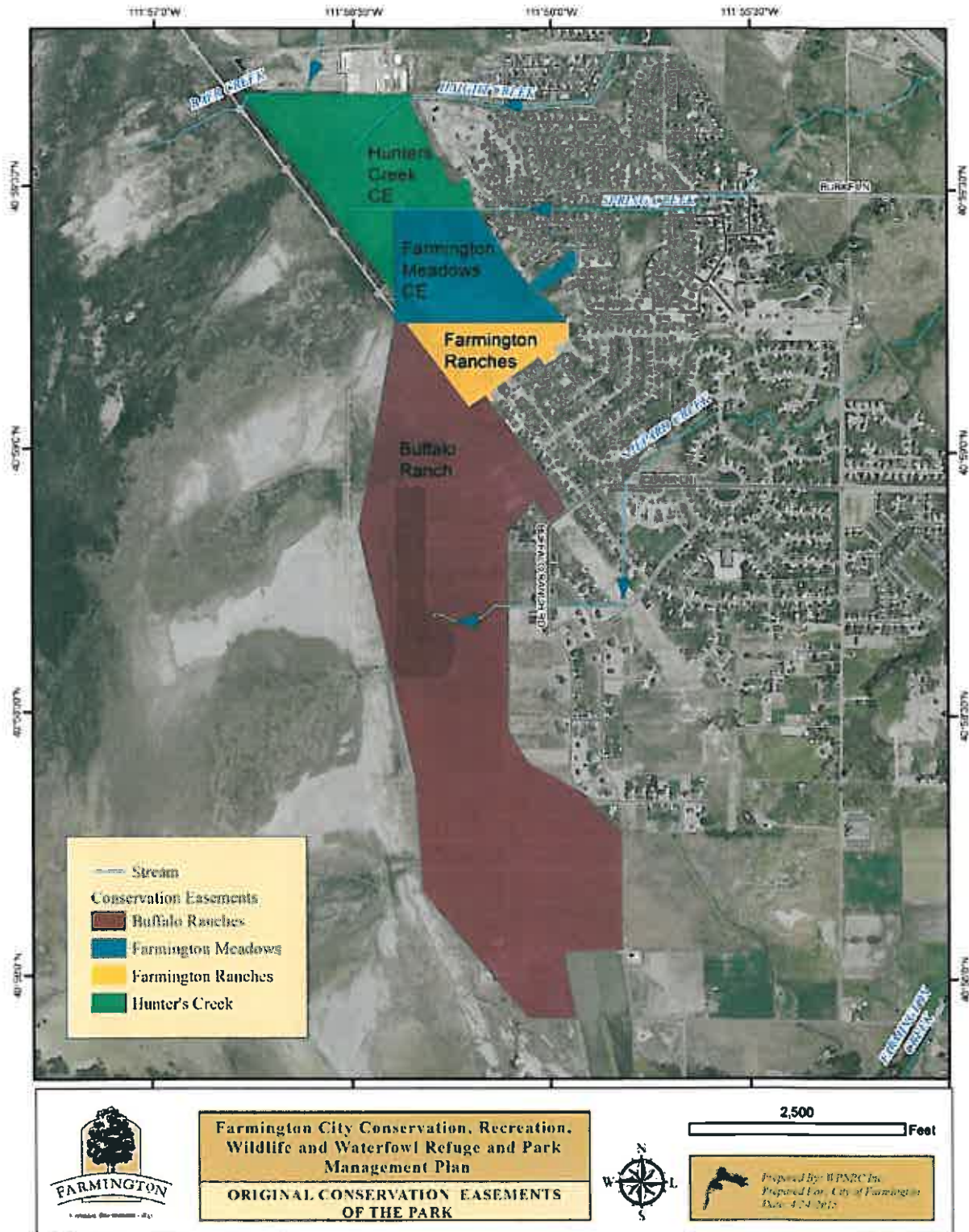
Neighborhood Open Space – Landscaping and irrigation systems shall be installed and maintained by the property owner. These spaces shall be maintained, groomed and manicured by the property owner

Cross Project and Shoreline Trails – shall be developed in accordance with the Development Agreement and shall be maintained by the property owner.

On June 17, 2014, the City of Farmington adopted an Ordinance to combine these four Conservation Easements into one unitary resource. The idea was to combine financial and ecological resources for the most efficient and effective management of the Park for its primary purpose as a wildlife and waterfowl refuge area. All permitted uses are or can be congruent with this primary purpose with the implementation of a management plan. Livestock do not pose a threat to birds and can be managed so as to assure they are not in pastures when birds may be nesting. Further, it is fortunate that the Conservation Easements allow livestock grazing, as grazing can be a much needed, powerful and effective land management tool to improve land health. Livestock can be used to reduce noxious weed populations, enrich local soils and potentially reduce wildfire danger. Further, the use of livestock grazing alone or in conjunction with changing irrigation practices can be used in many ways to instigate desired changes in the vegetation communities to improve wildlife and waterfowl habitat.

Figure 9 shows the original Conservation Easements and their adjacency and thus the intelligence of combining these properties under one Management Plan.

FIGURE 9- Original Conservation Easements of the Park



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Elements of Stewardship and Management

Three components of the Management Plan process are a Baseline Resource Assessment, a Stewardship Plan, and GIS. All of these elements will be designed to support the primary purpose of the Park as a wildlife and waterfowl refuge.

Baseline Resource Assessment

To effectively manage the natural systems, the City must be aware of the significant resources present. WP NRC staff has conducted baseline resource assessments to document the resources and their respective condition. These assessments are the basis for determining the significant resources, conditions, impacts, and threats relevant to the Park. The names of these assessments are located in a table in Chapter 2.

Management Plan

The Management plan is an effort to synthesize existing information about the Park's resources and incorporate new data collected during the Baseline Resource Assessment. Resource element descriptions provide current and desired future conditions of the Park's natural resources. The plan also provides prioritized management recommendations to protect these resources, while continuing to provide public access for recreational opportunities where appropriate. An update to the Management Plan will be necessary to update goals and objectives to address current and/or ongoing issues.

Management Recommendations

Recommendations can be prioritized and are provided in several forms:

- **Actions** – These are measures that the City should complete as soon as possible with the landowners. For example, "Build a fence to exclude cattle from the south parcel." Implementation should follow "Best Management Practices," which are state-of-the-art techniques that limit impacts to natural resources.
- **Resource Management Plans** – These recommendations address more complex issues and require more time, money, and expertise than is currently available. However, the stewardship plan does evaluate the plan's priority in relation to other needs, suggests parameters, and recommends appropriate agencies or contractors to complete the process.
- **Management Prescriptions** – Where time and budget allow, more detailed management strategies can be provided. Prescriptions can be 3-20 page documents detailing specific management actions to address a situation that may be an issue elsewhere. For instance, "How to control Canada thistle."
- **Monitoring** – An important focus of a management process is to create monitoring processes that evaluate the health and condition of resources over time. This is a critical component of decision making for maintenance procedures and new development projects. This plan suggests areas to be monitored, explains the protocol, and suggests appropriate personnel for the task. The use of GIS for organization, storage, and analysis, monitoring data is highly recommended.

Using GIS for Resource Management

The use of GIS by City staff is a vital component of good land management. Large amounts of information can be displayed on a map and linked to tables of descriptive information, such as maintenance and monitoring data or detailed graphic imagery. For example, using GIS to track noxious weeds within the park allows one to see patterns of weed distribution over time. Projecting future scenarios, planning of a new trail to the cost of a new fence, and observing trends in resource condition are all easier to realize with the help of GIS.

Chapter 2 - Park Description

Description

The Park lies inside the City limits of Farmington between the Front of the Wasatch Mountains and the Great Salt Lake. Beginning in 1998, the City of Farmington began to strategically preserve the region between the Great Salt Lake and suburban development to assure protection from the shores of the Great Salt Lake directly to the West through the use of Conservation Easements. Not only would it serve as more of an assurance against flooding and/or ponding characteristic of the Great Salt Lake, it would provide habitat for the plethora of migrating birds that require the Great Salt Lake Ecosystem as a stopover in their journeys - all while providing passive recreation opportunities for the community. The location and habitat contained within the majority of the Park's 415 acres provide adequate space for the Park to function primarily as a wildlife and waterfowl refuge.

The site is a mixture of upland meadows, agricultural meadows, wet fresh meadows, wet saline meadows, saline playa and emergent marshes of various conditions. The Farmington Bay Wildlife Management Area (WMA) – an 18,000-acre wildlife refuge that is managed specifically for the benefit of waterfowl and shorebirds- is located directly south of the investigation area. As a result of the proximity of the conservation easements to Farmington Bay WMA and other preserves along the shores of the Great Salt Lake, various waterfowl, shorebirds and raptors can often be seen using these City of Farmington properties. Additional preservation properties along the shore of the Great Salt Lake to the south include the Inland Sea Shorebird Reserve and an Audubon bird refuge. To the north of the Park along the shore of the Great Salt Lake, wetland preservation areas include the Great Salt Lake Shorelands and the Layton Wetland Preserve (TNC), the Howard Slough WMA (state), the Ogden Bay WMA (state) and the Bear River Migratory Bird Refuge (USFWS). Figure 27 in Chapter 3 shows the locations of these preserves in relation to the Park.

At the Park, Buffalo Pond, a 24.7 acre man-made water body developed for irrigation purposes, is centrally located within the conservation easements. The Pond now serves as a loafing and foraging area for waterfowl while cottonwoods and other trees in the area serve as roosting and loafing areas for many other birds. In the northern region of the Park a sizable power line parallels the shore of the Great Salt Lake. A berm was built below the line in order to access the power line for maintenance. This berm captures excess surface water before it passes through culverts in the berm to the Great Salt Lake. This altered hydrology provides conditions conducive to the introduced specie - common reed (*Phragmites australis*). Substantial area adjacent to the utility line is thus emergent marsh dominated by common reed. Ideally, through active management, these emergent marshes can be eventually converted to areas dominated by native bulrushes, as the habitat provided by the powerline berm is suitable for native bulrushes. Bulrush (*Schoenoplectus* spp) provides more effective habitat than common reed for wildlife and waterfowl. Until then, wildlife and waterfowl will still use these areas, albeit on a somewhat more limited basis. Further, the powerline poles currently provide and will continue to provide potential nesting areas for raptors.

There are several irrigation ditches as well as natural creeks that traverse the property to bring water to agricultural fields and eventually to the Great Salt Lake. Baer Creek, Spring Creek, Shepard Creek and Haight Creek all pass through the property as well as many existing and potentially abandoned irrigation ditches capture and direct surface and groundwater to the Great Salt Lake. As a result, wetlands of different types are interspersed throughout the property such as wet fresh meadows, saline meadows and emergent marshes. A more detailed description of vegetation types and overall condition will be discussed in the vegetation section of Chapter 3.

Current Resource Goals and Objectives

The goal of the Park is to simultaneously manage for both resource protection, as stated in the Conservation Values, with recreation being an added benefit. This plan suggests revisions and additions to the current Park management practices to achieve goals and objectives by providing specific stewardship objectives in Chapter 5, *Stewardship Recommendations*. Stewardship objectives are based on the significant resources listed in Chapter 3, *Resource Element Descriptions*. All resource goals and objectives are meant to assure the primary function of the Park, which is to serve as a waterfowl and wildlife refuge.

Baseline Inventories and Assessment

Below is the current list of inventories and assessments upon which this stewardship plan is based. Many of these were performed as part of this management plan process.

Type of inventory/assessment	Date	Entity Responsible
Vegetation Mapping Assessment	2014	WP NRC
Wetland Delineation Assessment	2014	WP NRC
Conservation Easement Inventory and Violation Assessment	2014	WP NRC

Below are resource categories for which inventories or assessments are needed:

Type of inventory/assessment	Comments
Bird surveys	A systematic bird and breeding bird survey would determine the level of use of the property by each bird species present
Small Mammals	A quantitative assessment of the species and their respective abundance
Herptofauna	A presence/ absence survey would be informational to determine whether habitat conditions support these species
Visitor estimate and survey	In order to establish a management schedule, it is best to get an accurate estimate of the intensity of use in the Park, as well as the levels of use from the various recreational pursuits
Grazing assessment and plan	A baseline on past and recent grazing practices and plans would help to understand the current condition and structure of the vegetation communities at the Park. A grazing plan that includes regular monitoring would follow to assure that conservation values are being preserved.

Chapter 3 - Resource Element Descriptions

This section describes the significance of the natural resources found in the park and assesses their current and projected conditions. The Significant Features, Threats and Description of each resource element are discussed, and the Past and Current Conditions of the resource are summarized in terms of excellent, good, fair, or poor condition statements. The Resource Trajectory identifies the outcome of the status quo and negative trends that are not altered by active management, while the Desired Future Condition section describes the ideal condition of the resource in the future given the parks resource goals. Prioritized Stewardship Recommendations to protect these significant resources while allowing public access where appropriate are found near the end of the plan. The resource element descriptions in this chapter include:

- ❖ **Vegetation and Wetlands**
- ❖ **Waterfowl and Wildlife**
- ❖ **Water Resources**
- ❖ **Soils and Geology**

Resource: Vegetation and Wetlands

Resource Summary

The vegetation and wetland resources are currently highly productive communities and are the foundation for the habitat for the relatively high concentrations of waterfowl and wildlife that use the Park as a refuge. The productivity of the vegetation communities also provides suitable conditions for livestock grazing as a secondary use of the Park, a use consistent with the primary purpose of a wildlife and waterfowl refuge.

Significant Features

- **Diverse Wetland Plant Communities** In this otherwise arid region, the interface of fresh and salt water in this area provides for diverse vegetation community types that can withstand both saline and fresh water environments. These communities are exceptionally productive in that different nutrients and ecological drivers are present at the Park from both the saline environment of the Great Salt Lake and the fresh water from the Wasatch Mountains to the East.
- **Mosaic of vegetation communities-** The mosaic of different wetland and upland communities in the Park provides opportunities for a wide diversity of wildlife distribution and use. The diversity of habitats provides for the different life history needs of several species of wildlife. For example, the short distance between potential nesting areas (such as agricultural meadows, saline meadows or saline playas) and the open and shallow waters for foraging within the Park offers a relatively safe and low energy demand for wildlife at a vulnerable time.

Potential Threats

- The presence of **noxious weeds** in certain areas of the Park is of concern due to their known ability to displace the native vegetation, reduce biodiversity and degrade wildlife habitat.
- Potential **improper grazing practices** from either not enough rest between grazing rotations and/or too many livestock could compromise the Conservation Values of the Park. However, with proper management, livestock grazing can be compatible and even complementary to land stewardship for wildlife and waterfowl habitat improvements
- **Potential mismanagement of vegetation** The agricultural fields left fallow are easily invaded by overly aggressive weeds and are not fully functional for either horse pasture nor wildlife habitat. With proper seeding and management practices, these fields could be improved for both livestock and wildlife.

Description

The site is a mixture of agricultural meadows, wet fresh meadows, wet saline meadows, playa and emergent marshes of various conditions. The Farmington Bay Wildlife Management Area (WMA) – an 18,000-acre wildlife refuge that is managed specifically for the benefit of waterfowl and shorebirds - is located to the south of the investigation area. Buffalo Pond, a 24.7 acre man-made water body developed for irrigation and stock water purposes, is centrally located within the conservation easements. The pond now serves as a resting and loafing area for waterfowl and shorebirds while cottonwoods and other trees in the area serve as roosting and loafing areas for many other birds.

The power line berm captures excess surface water before this water passes through culverts in the berm to the Great Salt Lake. The altered hydrology provides conditions conducive to the introduced species common reed (*Phragmites australis*). Substantial area adjacent to the utility line is thus an emergent marsh dominated by common reed. Further, there are several irrigation ditches and natural creeks that traverse the property to bring water to agricultural fields and eventually to the Great Salt Lake. As a result, an interspersed of vegetation community types exist throughout the property. A detailed description of each vegetation type and associated overall condition is discussed below.

The vegetation communities on the Park were traversed on foot then digitized into a Geographic Information System (GIS) that classifies vegetation communities both by a common name as well as by a standardized vegetation community designated by the National Vegetation Classification Standard (NVSC 2008).

CURRENT CONDITIONS

A description and current condition of the vegetation communities are discussed below. Refer to Figure 21 as to where each of the vegetation communities is located within the Park.

Current vegetation condition determinations are generally based on 4 factors:

- 1) Diversity- Is the diversity of species suitable for the community?
- 2) Structure- Is the structure (age class distribution of species, presence of appropriate stratification – trees, shrubs, herbaceous layers-) appropriate for the vegetation community)?
- 3) Presence/absence of non-native species- Do noxious weeds threaten the persistence of the native plant community?
- 4) Plant health/ vigor- Are the plants free of disease or other afflictions that threaten the ongoing existence of the plant community?

Agriculture (Irrigated Pasture) – This vegetation type occupies a total of 25.2 acres and is typically dominated by seeded pasture grasses such as meadow fescue (*Festuca pratensis*) and introduced wheatgrasses (*Elymus* spp) but also some native graminoids such as Inland Saltgrass (*Distichlis spicata*), and spikerushes (*Eleocharis* spp). These areas receive water from both the natural creeks and constructed ditches that cross the Park. Irrigated pastures are generally not permanently inundated but some have jurisdictional wetlands or elements of wetlands depending upon the hydrology of the area.

Current Condition: These areas are generally in good condition, but some have hummocks within them as a result of heavy use by livestock in wet conditions. These hummocks can be exacerbated by continued livestock use in wet conditions as cattle will walk around the hummocks and thus the vegetation on the hummocks get thrust higher. Hydrology and vegetation composition of an area can change with the formation of the hummocks as water finds a different path around the hummocks and the vegetation at the top of the hummocks can become desiccated.



Figure 10. Irrigated pasture



Figure 11. Formation of hummocks in irrigated pasture

**Agriculture (Crops) –
Current Condition:**

This vegetation community type occupies approximately 4.9 acres. These areas are currently being used for growing livestock forage (alfalfa) and a common garden. Vegetables such as squash, tomatoes, and onions were observed during surveys. These crops were likely grown during the 2014 growing season.



Figure 12. Alfalfa field on the Farmington Meadows easement

It is important to maintain a buffer area between the field and the reach of Spring Creek that flows just south of the field. A buffer of thick vegetation (ideally 10' wide) is preferable to capture any eroded soil from the fields from entering the ditch. This keeps excess sediment and any potential chemicals used on the crops from entering the stream to maintain water quality.

Agriculture (Dry Pasture) – This vegetation community type occupies approximately 59.0 acres and is chiefly comprised of the introduced grass intermediate wheatgrass (*Thinopyrum intermedium*) intermixed with the native salt grass (*Distichlis spicata*). Many of the dry pastures are currently being used for livestock grazing, as well as for hunting grounds for raptors and loafing areas for birds such as killdeer, horned lark and meadowlark.

Current Condition: Most of these fields are in good condition and provide good forage for livestock.



Figure 13. Dry pasture with mostly saltgrass



Figure 14. Dry pasture with saltgrass, alkaligrass (*Puccinellia nuttalliana*) and intermediate wheatgrass

Fallow Agriculture – Fallow agriculture denotes areas that were actively farmed in the past, but is currently being used to board horses. These fallow fields occupy about 170.0 acres. Most of these fields have very little forage for horses, but instead is dominated by weedy species such as garden orach (*Atriplex hortensis*), cheatgrass (*Bromus tectorum*) and summer cypress (*Kochia scoparia*). Some pastures also have high

presence of state listed noxious weeds such as scotch thistle (*Onopordum acanthium*), broadleaf pepperweed (*Lepidium latifolium*) and whitetop (*Cardaria draba*). These weedy species may have increased in extent and density due to inattention to pasture health and/or overgrazing. The seeding of pasture grasses could be helpful in these situations. In a few of the pastures, some grasses are present such as wheatgrasses and meadow fescue. Occasionally native meadow grasses like salt grass can be found. Nevertheless, these pastures harbor many small rodents that provide a prey base for raptors in the area as well providing a loafing and potential nesting area for other birds, and can be managed into the future to assure the persistence of effective habitat for wildlife.



Figure 15. Fallow agricultural field

Current Condition: Pastures in this area vary from **poor to good** condition depending upon the level of upkeep of each.

Ditch - Ditches occupy about 0.5 acres on the Park. Many of the ditches were constructed to carry water from one of the 4 creeks flowing through the property to irrigate pasture. Some of the ditches intercept ground water as well. There are also several ditches on the property that are designed to receive both storm water and drainage from adjacent subdivisions on to the property. These discharge either into the creeks or sometimes directly into wetlands. Many of the outlets of these storm drains need to be cleared of both debris and common reed that impede water flow into the area. Ditches can sometimes support cattail (*Typha spp.*), bulrush (*Scirpus spp.*) and common reed (*Phragmites australis*), but often only have aquatic vegetation such as duckweed (*Lemna spp.*) and watercress (*Naturtium officinale*). As such, these ditches can provide foraging areas for waterfowl.



Figure 16. Ditch along Spring Creek

Emergent Marsh (Native) – This native vegetation community occupies about 15.1 acres and is mostly dominated by cattail (*Typha latifolia*) and bulrush (*Scirpus americanus*). These communities establish and persist in permanently wet soils and slow moving water. This community is frequently interspersed with wet meadows that can be dominated by saltgrass and spikerush (*Eleocharis palustris* and *Eleocharis parishii*). The boundary between native emergent marshes, non-native emergent marshes and wet meadows originates from slight differences in land use as well as hydrology. Where cattle have grazed, the common reed appears to have been kept to a minimum.

Current Condition: The native emergent marshes are in **good condition**, but have the possibility of being degraded to a lower condition due to the presence of noxious weeds and common reed in close proximity. Native emergent marshes provide good cover and forage for waterfowl and other wildlife.



Figure 17. Cattail and bulrush in a native emergent marsh

Emergent Marsh (Non-native) – This community type occupies approximately 43.4 acres and is defined by



dense, contiguous patches of common reed (*Phragmites australis*). Common reed originates from Europe, but when it was accidentally introduced to North America, no native herbivores or insects were brought with it to keep the populations in ecological balance. Thus it has the ability to outcompete native vegetation has allowed this plant to expand to its current density and extent. Common reed greatly reduces diversity of wetlands both in terms of species present and habitats for wildlife. Common reed thrives in a multitude of conditions including standing water up to 2 feet deep, inundated soil as well as seasonally wet areas. Common reed often expands into new areas either after alterations in the hydrology occurs or when a change in land use happens. The standing water that is collected on the east side of the utility line

Figure 18. Common reed infestation just beyond livestock fence

berm is ideal common reed habitat. The emergent marshes are in poor to fair condition due to the overabundance of common reed and associated lack of habitat. Over the easement properties, common reed is most dense in areas that do not experience any livestock grazing. Young shoots of common reed can be good livestock forage early in the season and it has been cut for hay for winter forage. Several properties around the Great Salt Lake have been using cattle to reduce their common reed stands through carefully managed grazing.

Current Condition: The condition of these non-native emergent marshes are generally in **poor condition** because when the phragmites becomes this thick, it is unusable for wildlife and can sometimes create a fire hazard in dry years or during the dry season.

Wet Meadow - This community type occupies 3.8 acres and is defined by seasonally flooded meadows and depressions that become drier throughout the growing season. The most common species in this area is



Inland saltgrass, but also has spikerushes (*Eleocharis* spp), Nebraska sedge (*Carex nebrascensis*) and some pasture grasses. These meadows are currently used for livestock grazing. Like the irrigated pastures, the combination of the continuously wet soils and grazing can form hummocks that can become magnified over time as the cattle will step around the higher hummocks only to push them up further with every year. This community can provide good nesting habitat for ground nesting birds and the seasonally flooded areas provide valuable forage.

Current Condition: The wet meadows are generally in good condition with dominance of native species and plentiful water to keep the plants healthy.

Figure 19. Wet meadow

Wet Saline Meadow – This wetland community type occupies 18.4 acres and defined by salt tolerant and salt loving plants such as salt grass (*Distichlis spicata*), seep weed (*Suaeda calceoliformis*) and pickleweed (*Salicornia rubra*). Saline meadows are often seasonally inundated for a period during the growing season but later dry up. This seasonal flooding and evaporation allows salt and other minerals to build up in the soil creating a saline substrate that restricts the type of plants that can grow. This community type can provide good forage for waterfowl.



Current Condition: The saline meadows are generally in **good condition** as the native salt tolerant species are so well adapted to these conditions.

Figure 20. Saline meadow dominated by Inland saltgrass

Roads/Trails - A number of roads and trails are found throughout the property and includes such features as the utility line road, walking paths and property access roads. Roads and trails occupy 3 acres. Noxious and other invasive weeds often colonize the sides of the roads and trails since the ground disturbance is often where weeds establish. Roadside weeds include scotch thistle (*Onopordum acaanthium*), summer cypress (*Kochia scoparia*), and white top (*Cardaria draba*).



Figure 21. Road under powerline

Disturbed - The disturbed lands refers to areas of the property that have been altered for human land use for reasons other than agriculture such as berms, soil dumps, and weed heaps. Disturbed areas occupy 0.8 acres and are often covered by weeds and other less desirable vegetation.



Figure 22. Soil stockpile north of Buffalo Pond

Riparian Woodland - Riparian woodlands occupy only 2.1 acres. Although they occupy a very small area, they are disproportionately important for wildlife habitat. These areas are generally associated with creeks, ditches, and areas with sufficient sub-irrigation to support trees. The riparian woodlands on the conservation easement have some native trees such as Fremont Cottonwood (*Populus fremonti*) and peach leaf willow (*Salix amygdaloides*) as well as non-native trees like Russian olive (*Eleagnus angustifolia*). There is a true riparian woodland on the west side of Buffalo Pond with native cottonwoods that provide loafing habitat for bald eagles. There are also a few cottonwoods located just outside the northern boundary of the Hunter Creek property. The other riparian woodland is along the east side of Haight Creek, but this woodland is dominated by the invasive tree Russian olive (*Eleagnus angustifolia*). Riparian woodlands in general provide good shelter and nesting habitat for neo-tropical migratory birds.



Figure 23. Cottonwoods on the northern end of the Hunter Creek property

Current Condition: As small as the riparian woodlands are, they are important and are in fair to good condition. The area surrounding the east side of Haight Creek as it comes into the Park, the cottonwoods are beginning to lose ground to Russian olives.

Saline Playa - The saline playa community type occupies approximately 9.6 acres, and is generally characterized by sparse vegetation and saline mudflats and hardpans. The combination of dense clay soils, ponding water and heavy salts in the soil are the foundation of this community type. Dominant plants include pickleweed (*Salicornia rubra*), salt grass (*Distichlis spicata*), and seep weed (*Suaeda calceoliformis*). Only alkaline and saline tolerant species can survive these conditions. Playas are usually seasonally flooded, which

provide exceptional foraging areas for shorebirds. Surrounding grass covered uplands can be utilized as bird nesting habitat and cover. These playas can provide habitat for the federally threatened snowy plover.



Current Condition: The vegetation community and structure on these playas are generally in good condition.

Figure 24. Playa on the western edge of the Park

Figure 25. Vegetation Community Types and their Location in the Park

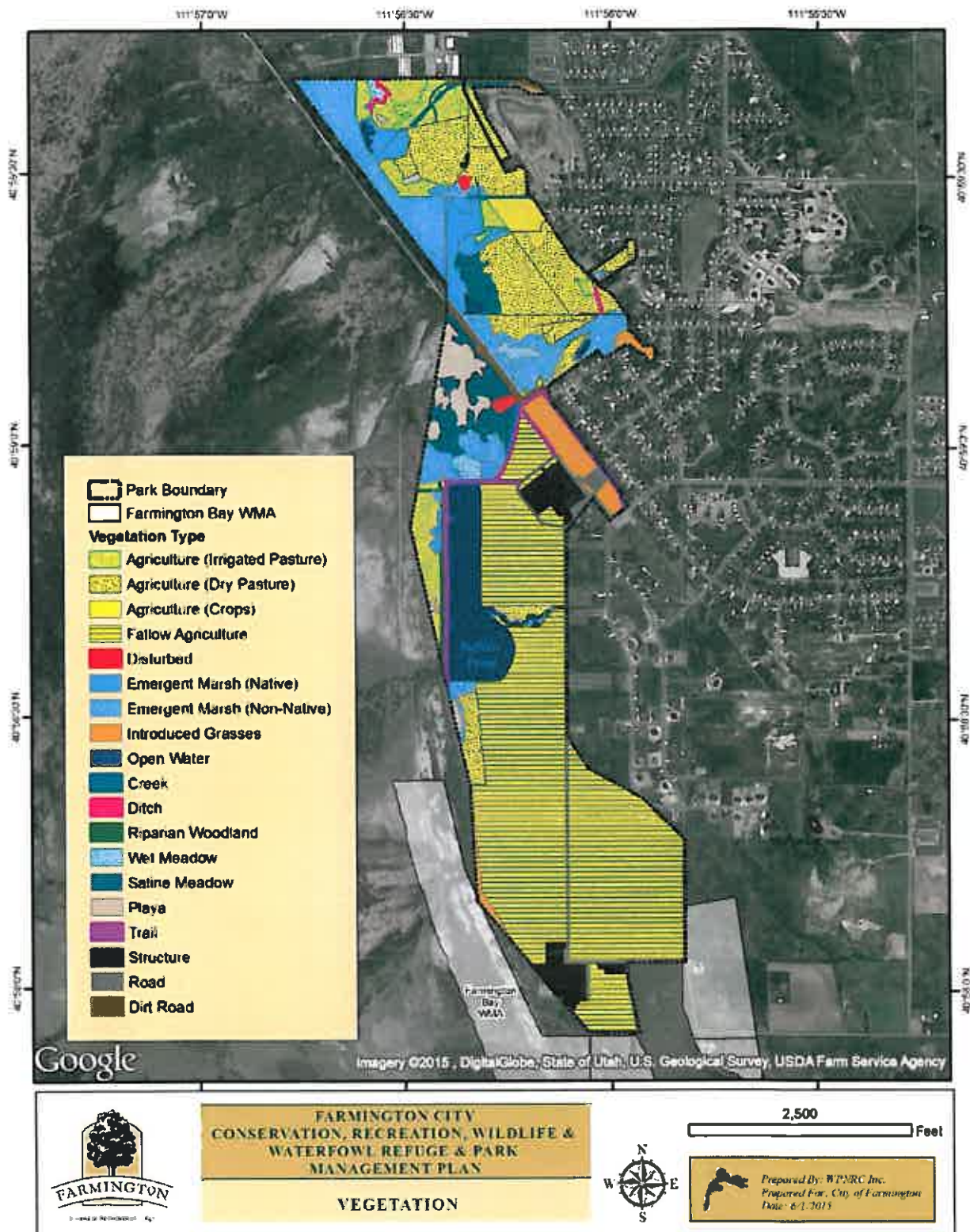


Table 1. Vegetation Types and Extents in the Park

Vegetation Community Type	Acres
Agriculture (irrigated pasture)	25.2
Agriculture (crops)	4.9
Agriculture (Dry Pasture)	59.0
Agriculture (Fallow)	170.0
Ditches	0.4
Native Emergent Marsh	15.1
Non-native Emergent Marsh	43.4
Wet Meadow	3.8
Open Water	27.8
Roads/ Trails	9.7
Structures	12.9
Wet Saline Meadow	18.3
Creek	1.6
Disturbed	0.8
Introduced Grasses	13.7
Riparian Woodlands	2.1
Saline Playa	9.6
Total	420.5

Past Conditions of the area

Prior to pioneer settlement, the ecology of this area was likely driven by both the rise and fall of the Great Salt Lake as well as by the seasonal stream flows coming from the mountains directly East. Past mass wasting in the form of land slides and mudslides also had an effect on this area – likely when Lake Bonneville was full undercutting the steep slopes to the east. As the hydrology and ecology was allowed to naturally adjust over time (without roads, artificial water management, etc), a natural integration of saline and freshwater habitats developed and a wide diversity of plant species from each took hold. The fresh water wet meadows likely had high biodiversity with several grasses and forbs such as Nuttalls' sunflower (*Helianthus nuttallii*) and swamp milkweed (*Asclepias incarnata*). The wet saline meadows closest to the Great Salt Lake were likely an interspersed of dense salt grass (*Distichlis spicata*) meadows with upland areas that had salt tolerant shrubs such as greasewood (*Sarcobatus vermiculatus*) and saltbush (*Atriplex* spp). No dense phragmites stands existed prior to pioneer settlement.

NOXIOUS WEEDS

The weed mapping that occurred on these conservation easements was completed in the winter of 2014-2015. This will provide a broad overview of where some of the noxious weeds are, however, a survey during the growing season would deliver a much more accurate representation of the noxious weed issue on these properties. It is advisable to do this prior to assembling a noxious weed control plan.

It is a well-documented fact that noxious and invasive weeds pose a significant threat to native ecosystems. It has been documented that the United States is losing 4600 acres (10 square miles) per day *on federal lands alone* as noxious weeds make large tracts of land inhospitable for any beneficial use (Bureau of Land Management, 2015).

As these non-native populations grow, the amount of effort, time and money required also increases exponentially to restore these areas to a functioning native ecosystem. As such, it is imperative to understand the type and extent of infestations on the easement properties to utilize all methods available to control current weed infestations, prevent new infestations as well as to protect non-infested lands.

In addition to serious economic concerns, the ecological problems associated with noxious weeds are numerous. Noxious weeds are exotic, non-native species that can spread quickly. The following issues can ensue:

- Loss of biodiversity
- Loss of wildlife habitat
- Decrease in forage value for livestock and wildlife
- Decrease in land value
- Loss/ reduction of recreational opportunities such as hiking, biking, and wildlife and wildflower viewing.
- Disruption of soil and vegetation communities from changes in soil nutrient cycling.

Therefore, it is in the best interest of the City of Farmington to implement weed management as well as to inform and educate neighbors about the noxious weeds of the area to work together toward a common goal of reducing noxious weeds.

The State of Utah currently lists 27 species as designated noxious, however, within a few months, the number of species will likely increase to about 54. The state has also classified each species with a letter A, B or C. Class A weeds are considered to have a small statewide population and are targeted for eradication. Class B weeds have a wider range throughout the state and are targeted for systematic control. Class C weeds are common throughout the state and the main goal for Class C weeds is containment.

Table 2. Noxious weeds located at the Park

Noxious Weeds of Farmington City Conservation Easement		
Class A	Class B	Class C
<i>Purple Loosestrife</i>	<i>White Top</i>	<i>Salt Cedar</i>
	<i>Scotch Thistle</i>	
	<i>Musk Thistle</i>	
	<i>Poison Hemlock</i>	
	<i>Perennial Pepperweed</i>	

Neither common reed (*Phragmites australis*) nor teasel (*Dipsacus sylvestris*) is currently on the State list, but should also be considered here due to their known invasive properties. Noxious weed species and locations are shown on Figure 23.

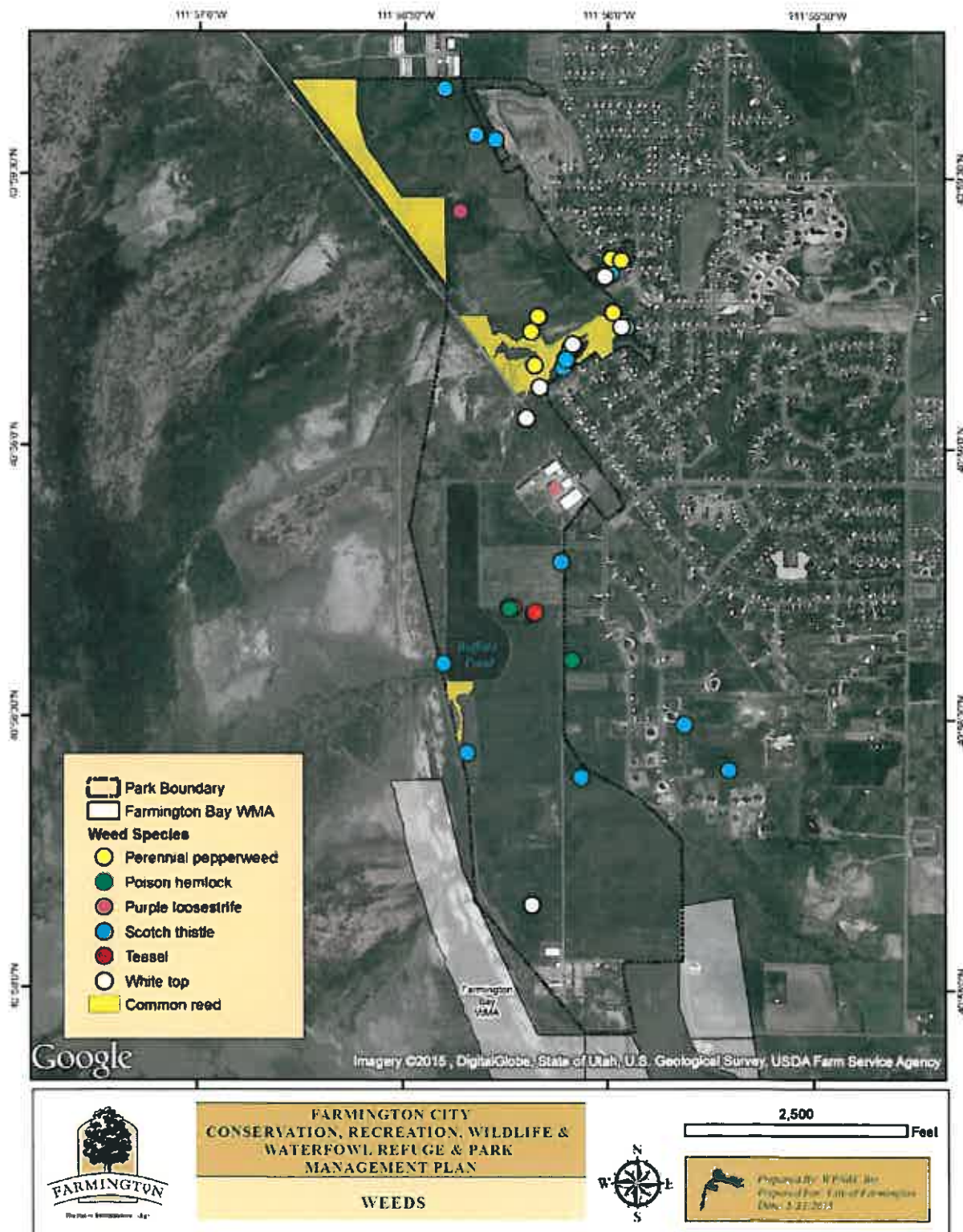
The vegetation assessment report completed in February of 2015 gives specific guidelines for noxious weed control on the Park. For further information and assistance with control, contact Brandon Hunt, the current Davis County Weed Supervisor.

DRAFT

The vegetation assessment report completed in February of 2015 gives specific guidelines for noxious weed control on the Park. For further information and assistance with control, contact Brandon Hunt, the current Davis County Weed Supervisor.

DRAFT

Figure 26. Overview of Noxious Weeds on the Park



RESOURCE TRAJECTORY

Until weed management continues to become an annual activity, noxious weeds may continue to increase to perhaps degrade the ecological health and condition of the Park. Livestock grazing can be both a benefit and a hindrance to ecological restoration. If not managed properly, livestock grazing can increase noxious weed presence, however, livestock grazing can also be used to reduce weeds and otherwise modify vegetation communities as desired for the purpose of the stated objective of a wildlife and waterfowl refuge. For example, grazing can be used to reduce phragmites and other noxious weed populations as well as to reduce fire danger.

DESIRED FUTURE CONDITIONS

It is recommended a more complete noxious weed survey occur on the property to assure a fuller understanding of the extent of the problem. It is important that a survey for noxious weeds be completed prior to a full weed management plan being written and executed.

An equally important need for a thorough condition assessment and improvement of the vegetation communities at the Park is a better understanding of the past and current livestock use. This would entail frequent communication between the owners of the livestock using the Park and City staff. Information that should be submitted should include proposed dates of grazing in each pasture, number of animals, type of animals, and any brand information. As an outcome, monitoring of pastures can occur with the knowledge of the true grazing pressure and will better inform future livestock grazing at the Park to assure Conservation Values are being upheld.

Further, to improve the condition of some of the upland pastures, it would be helpful to mow the weeds prior to them producing seed, then drill seeding those pastures with desirable forage.

Table 3. Priorities (1- highest, 3- lowest) for maintaining desired future for vegetation communities

Vegetation Type	Issue	Action	Priority
All	Noxious Weeds	Complete full survey for weeds in growing season and contact Brandon Hunt with results and help with control (Davis Co Weed Supervisor)	1
All Livestock Pastures	Measurement of grazing intensity	Installation of exclusion cages to measure forage use	1
Fallow Agriculture fields	Aggressive weeds	Mow and reseed	2
Wet Meadows and Irrigated Agriculture	Hummocks	Rest the area from livestock grazing for at least a year	3

Resource: Wildlife and Waterfowl

Resource Summary

Significant Landscape Features

- **Buffalo Pond** – This pond encompasses nearly 23 acres and is a significant freshwater body within the greater Farmington area. 26 species were counted at this site which appeared to be a foraging stop for many waterfowl and water bird species. High numbers (>100) of American White Pelicans, and numerous duck species were observed. The cottonwood stand on the west side of the pond adds additional vegetation height complexity to the landscape providing for different suites of species. Recreational use (walking, wildlife viewing) around this area is also popular.
- **Upland Meadows** – The upland meadows within the Park (particularly on Buffalo Ranch) currently provide much of the insect base for the small mammal and raptor community. Numerous burrows and runs were observed within the meadows. This landscape is flat with very limited topographic relief – also most of this area is fenced – most all of which were wildlife friendly.
- **Mosaic of wetland types** – This site has a variety of wetland habitats (open water, wet meadow, varying water depths and velocities, saline playas, etc.) that provide habitat for a variety of species. The interspersed of these habitats provides for various life history stage needs (nesting, foraging, loafing, cover from predators) within a compact area for highly effective habitat for many species.
- **Location of Park within Great Salt Lake Ecosystem** The Park lies in the middle of a conservation corridor that runs along the eastern edge of the Great Salt Lake (Farmington Bay WMA, Bear River NWR, Inland Sea Shorebird Reserve, etc.). The presence of the Park between this much larger conservation corridor creates relatively continuous habitat for wildlife and waterfowl to utilize with minimal human contact, and leverages the importance of the Park as a wildlife and waterfowl refuge.

Potential Threats

- **Noxious weeds** – Most noxious weeds (phragmites, Scotch thistle, purple loosestrife etc.) have little wildlife value, and as monocultures, greatly reduce the quality of wildlife habitat. This can have negative impacts on the diversity and quantity of native wildlife species.
- **Feral cats** – Feral cats are prevalent throughout the Park. They are significant predators to small mammal and bird populations – both ground-nesting and roosting species. With assistance from an accredited organization, a program to trap and remove these individuals should be implemented.

Description of Habitats present at the Park

The following is a list of the habitats found at the Park and a description of what each may offer to wildlife and waterfowl and how each is congruent with the livestock and other permitted uses at the Park. Table 4 shows which habitat the birds witnessed at the park were using at the time of the survey.

1. Open Deep Water: The open deep water offers valuable feeding and resting habitat for pelicans, dabbling ducks, diving ducks and grebes. These birds were all observed on deep water, likely using the area for loafing, but also for feeding on aquatic vegetation, algae, insects, and fish.

These are the most highly used areas for waterfowl, but, neither livestock nor people will use these areas in a way that would disturb or harm general wildlife and waterfowl use of deep water habitats.

2. Open Shallow Water: Open shallow water often found on saline playas offers quality feeding habitat for shorebirds as the soft mud harbors invertebrate prey such as worms, insect larva, amphipods, crustaceans, and mollusks. The open shallow water also provides safety from most predators while feeding.

These areas are highly used by shorebirds, but the ground is generally too muddy and does not offer enough forage for livestock to be in the area on a regular basis. Watering of livestock may have some localized impacts, but in general this habitat would remain highly effective for waterfowl and shorebird use.

3. Wet Meadows: A variety of species use wet meadows given the availability of water and abundant insects. Since wet meadows generally do not provide much cover, few species of birds actually nest in wet meadows; most species only forage in wet meadows. Many species will bring their young to forage in wet meadows, utilizing the edges where escape cover is more available. Additionally, wet meadows can also support insect, vole and other rodent prey bases, which in turn attracts birds, raptors (chiefly marsh hawk) and owls.

Since most wildlife species only forage in wet meadows, the co-mingling of livestock and wildlife and waterfowl does not generally pose a problem as wildlife are moving so regularly when they are foraging. Grazing can also reduce litter accumulation, which can help keep wet meadows in a mid-seral stage and more open to use by foraging bird species

4. Wet Saline Meadow: Wet saline meadows can also provide prolific insect prey bases, thus shorebirds and other species particularly tolerant to salts are more common in these areas. In highly saline areas, mammalian use decreases. Saline meadows that have with intermittent shrubs also allows nesting to occur.

Wet saline meadows are generally not favored by cattle (especially if they have another choice) as the forage is generally not as palatable, and the soft muddy ground is not conducive to cattle loafing.

5. Upland Meadows: Raptors, meadowlark, horned lark, numerous sparrows, and small mammals utilize the upland meadows of the Park. The abundance of small mammals as well as insects makes these upland meadows fertile hunting grounds for birds, raptors and carnivores. The upland meadows may also provide potential nesting habitat for sparrows, some ducks, and long billed curlew.

The livestock do use the upland meadows regularly in area that could hinder habitat for ground nesting species. With proper management of livestock and land managers' awareness and observation of bird courting and nesting behavior, it is possible keep livestock out of more heavily used nesting areas in some years with exclusion fences.

6. Emergent Marsh: The emergent marshes (both native and non-native) on the property provide habitat for a number of species. Nesting may be limited to more aquatic species, including ducks, shorebirds,

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and yellow-headed blackbirds. Other more secretive species, such as rail or night heron, also utilize these marshes. Snakes and other mammals may also utilize these marshes for hunting.

Unless forced or learned, cattle prefer not to have much more than their feet in standing water, and thus are not likely to graze in the emergent marsh areas for long periods of time. Managers can also fence off more sensitive areas while still providing appropriate cattle watering areas.

7. Cottonwood Woodland: A bald eagle was observed roosting in the cottonwood trees on the property. Numerous neotropical migrants also utilize the cottonwoods, as these trees provide additional canopy height (vertical structure), cavities, roost sites, and cover to the otherwise flat landscape.

The location of the cottonwood woodlands on the Park are not conducive to cattle loafing underneath them as is often the case in other areas.

Conditions

Past Conditions

Very little undisturbed habitat representing conditions prior to European settlement remains along the Great Salt Lake. Prior to agricultural development, the property would likely have provided a mosaic of upland meadow, wet meadow, emergent marsh and riparian habitat. Overall, wildlife and vegetation diversity would have been higher although there would have been less open deep water habitat and therefore potentially fewer waterfowl species.

Current Conditions

Two targeted surveys were conducted for birds in April and May of 2015. A total of 53 bird species were noted in these short visits. Further, the bird species and numbers of each noted were indicative of the high value habitats that are available at the Park. The American pelicans and black crowned night herons were noted eating fish from Buffalo Pond. The bald eagle was feeding on an unknown carcass. Cinnamon teals, western grebes and Forrester's Terns were exhibiting both mating and nesting behavior. Regular bird surveys, particularly in the spring will likely expand the species list currently found at the Park and shed more light on the levels and distribution of use by the waterfowl and wildlife.

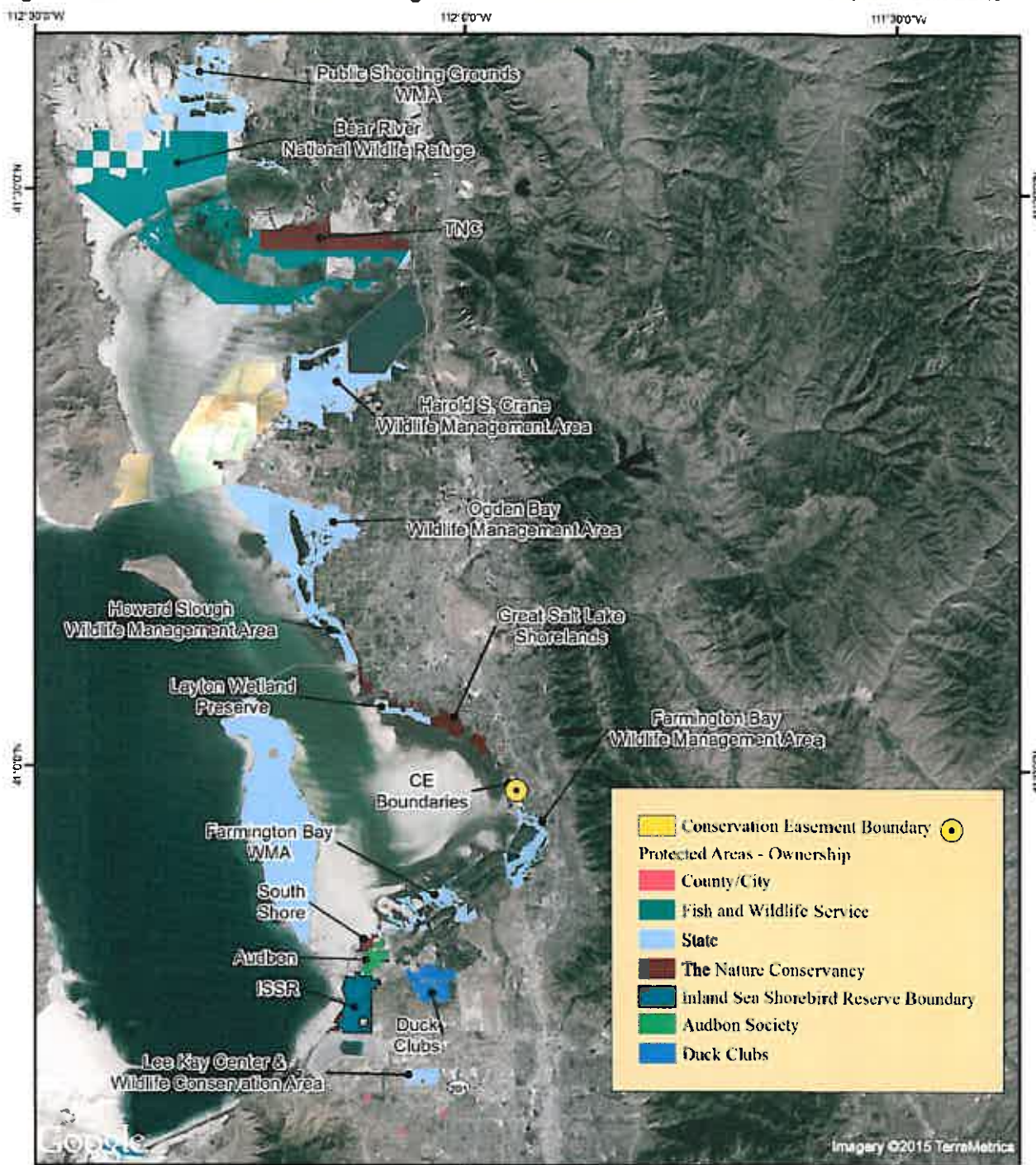
Conditions in the uplands are typical of fallow agricultural land in that it is relatively weedy and somewhat unkempt, but the property is nevertheless valuable as open space and wildlife habitat at the urban interface, particularly for small mammals. These small mammals in turn support hunting raptors as well as coyotes and foxes.


The presence of the large power line in the northern region of the Park impedes water flow to the lake and creates suitable habitat for common reed. Although this vegetation community can be problematic due to its height and density for many birds and other wildlife, common yellow throats, soras, yellow headed blackbirds and red winged blackbirds actively use this habitat type.

As witnessed by the number of species of birds, their abundance and mating and nesting behaviors observed, the current condition of the park supports the primary function of the park being a wildlife and waterfowl refuge. Further, the adjacency of the Park to other preserved areas around the shores of the Great Salt Lake allows migratory birds and other wildlife to have consistent and unimpeded use of the effective and important habitat considered to be part of the Great Salt Lake ecosystem. Figure 23 shows the Park's location relative to other preserved areas in the region.

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Figure 27. Location of Park within setting of other Conservation areas around the Great Salt Lake






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Management Plan**

**REGIONAL WILDLIFE AND
WATERFOWL REFUGE AREAS**



10 Miles



Prepared by: WSNM for
Farmington City of Farmington
Date: 03/2015

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Top: Typical conditions within the Park – Phragmites monoculture (left), pastureland (middle) and irrigation canal (right). photos: Kathie Taylor

Avian Species

During field visits in April and May, 53 bird species and 5 small mammal species were observed and identified. The highest diversity for avian species was located at the observation points located on Buffalo Pond. Below is a list of bird species observed during field visits.

Table 4. Avian Species Observed 04/10/2015 and 5/31/2015

Common Name	Scientific Name	Habitat Type Observed In
Waterfowl and Water Birds		
American Coot	<i>Fulica americana</i>	Open Water
American White Pelican	<i>Pelecanus erythrorhynchos</i>	Open Water
Blue-winged Teal	<i>Anas discors</i>	Open Water
Bufflehead	<i>Bucephala albeola</i>	Open Water
Canada Goose	<i>Branta canadensis</i>	Open Water
California Gull	<i>Larus californicus</i>	Open Water
Canvasback	<i>Aythya valisineria</i>	Open Water
Cinnamon Teal	<i>Anas cyanoptera</i>	Open Water
Double-crested Cormorant	<i>Phalacrocorax auritus</i>	Open Water
Green-winged teal	<i>Anas carolinensis</i>	Open Water
Lesser Scaup	<i>Aythya affinis</i>	Open Water
Mallard	<i>Numenius americanus</i>	Open Water
Northern Shoveler	<i>Anas clypeata</i>	Open Water
Red Breasted Merganser	<i>Mergus serrator</i>	Open Water
Western Grebe	<i>Aechmophorus occidentalis</i>	Open Water
Pied-billed Grebe	<i>Podilymbus podiceps</i>	Open Water
Northern Pintail	<i>Anas acuta</i>	Open Water
Gadwall	<i>Anas strepera</i>	Open Water
Ruddy Duck	<i>Oxyura jamaicensis</i>	Open Water
Redhead	<i>Aythya americana</i>	Open Water
Forester's Tern	<i>Sterna forsteri</i>	Open Water

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Wading Birds		
Black-crowned Night Heron	<i>Nycticorax nycticorax</i>	Open Water
Great Blue Heron	<i>Ardea herodias</i>	Open Water
Long-billed Curlew	<i>Numenius americanus</i>	Wet Saline Meadow
Snowy Egret	<i>Egretta thula</i>	Saline playa
Raptors		
American Kestrel	<i>Falco sparverius</i>	Fallow Agriculture, Agriculture
Northern Harrier	<i>Circus cyaneus</i>	Fallow Agriculture - overhead
Bald eagle	<i>Haliaeetus leucocephalus</i>	Riparian Woodland
Red tailed hawk	<i>Buteo jamaicensis</i>	Nesting just north of Buffalo Ranch parking lot
Neotropical Migrants		
American Robin	<i>Turdus migratorius</i>	Fallow Agriculture, Agriculture
Barn Swallow	<i>Hirundo rustica</i>	Fallow Agriculture, Agriculture
Bullock's Oriole	<i>Icterus galbula</i>	Riparian woodland
House Finch	<i>Carpodacus mexicanus</i>	Fallow Agriculture, Agriculture
House Sparrow	<i>Passer domesticus</i>	Fallow Agriculture, Agriculture
Mourning Dove	<i>Zenaidura macroura</i>	Fallow Agriculture, Agriculture
Says Phoebe	<i>Sayornis saya</i>	Agriculture
Western Meadowlark	<i>Sturnella neglecta</i>	Fallow Agriculture, Agriculture
Western Kingbird	<i>Tyrannus verticalis</i>	Fallow Agriculture, Agriculture
Marsh Birds		
Killdeer	<i>Charadrius vociferus</i>	Introduced Grasses, Fallow Ag.
Marsh Wren	<i>Cistothorus palustris</i>	Emergent Marsh (non-native)
Red-winged Blackbird	<i>Agelaius phoeniceus</i>	Emergent Marsh (non-native)
Sandhill Crane	<i>Grus canadensis</i>	Wet Saline Meadow
Savannah Sparrow	<i>Passerculus sandwichensis</i>	Emergent Marsh (non-native), Cottonwoods
Song Sparrow	<i>Melospiza melodia</i>	Emergent Marsh (non-native)
Common Yellow Throat	<i>Geothlypis trichas</i>	Emergent Marsh (non-native)
White-faced Ibis	<i>Plegadis chihi</i>	Emergent Marsh (native and non-native)
Sora	<i>Porzana carolina</i>	Emergent Marsh (non-native)
Yellow Headed Blackbird	<i>Xanthocephalus xanthocephalus</i>	Emergent Marsh (non-native)
Other		
Black-billed Magpie	<i>Pica pica</i>	Fallow Agriculture, Agriculture
Common Raven	<i>Corvus corax</i>	Various
European Starling	<i>Sturnus vulgaris</i>	Fallow Agriculture, Agriculture
Ring-necked Pheasant	<i>Phasianus colchicus</i>	Agriculture – Irrigated Pasture
Turkey Vulture	<i>Cathartes aura</i>	Fallow Agriculture - overhead

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Left: Buffalo Pond on April 10, 2015 (note congregation of American White Pelicans) photo: Kathie Taylor



Left: Great Blue Heron (*Ardea herodias*) and Right: White-faced Ibis (*Plegadis chihi*) photo: Martin Meyers

According to the Farmington Bay Waterfowl Management Area (WMA) bird list, a total of 203 species may be seasonally present at the WMA which is directly south of the study site.

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Additional raptors that may potentially be observed in the area include those listed in the table below. A steady prey-base (i.e. small mammals), and roosting site availability will benefit this suite of species and provide for a stellar wildlife viewing experience.

Osprey	<i>Pandion haliaetus</i>
Bald Eagle	<i>Haliaeetus leucocephalus</i>
Coopers Hawk	<i>Accipiter cooperii</i>
Ferruginous Hawk	<i>Buteo regalis</i>
Merlin	<i>Falco columbarius</i>
Peregrine Falcon	<i>Falco peregrinus</i>
Prairie Falcon	<i>Falco mexicanus</i>
Red-tailed Hawk	<i>Buteo jamaicensis</i>
Rough-legged Hawk	<i>Buteo lagopus</i>
Sharp-shinned Hawk	<i>Accipiter striatus</i>
Swainson's Hawk	<i>Buteo swainsoni</i>



Left: Northern Harrier (*Circus cyaneus*) – courtesy of Martin Meyers.

Top: Red-tailed Hawk (*Buteo jamaicensis*)



Figure 28. Perching bald eagle on the Park (February 2014) Photo: M. Wheeler

Small Mammal Species

Small mammal presence was evident in many places within the Park in the form of runs and burrows. Vole runs were located within and on the edges of pasture lands and also along some of the large rock rip rap sections in the southern part of the Park. Both Meadow and Montane voles live in runways typically burrowed under thick grasses. Near the Great Salt Lake, these small mammals eat mostly salt grass (*Distichlis stricta*) and insects found in and around their tunnel systems. Many predators depend on voles and other small rodents as a primary food source, including badgers, coyotes and a variety of raptors. Small mammal populations can persist with livestock grazing, particularly if the stubble height of the forage is high and dense enough for these species to take cover.



Figure 29. Montane (*Microtus montanus*) or Meadow (*Microtus pennsylvanicus*) vole burrow and run approximately 2 inches wide.

Rock squirrels (*Otospermophilus variegatus*) were observed off of the power line road in the rip-rapped material on road edges.

Table 5. Mammal Species Observed 04/10/2015 and 5/31/2015

Coyote (Sign – Scat)	<i>Canas latrans</i>
Meadow Vole (or Montane Vole) Sign	<i>Microtus pennsylvanicus</i> or <i>Microtus montanus</i> .
Muskrat (Sign – Den Opening)	<i>Ondatra zibethicus</i>
Rock Squirrel	<i>Otospermophilus variegatus</i>
Striped Skunk (Sign – Smell)	<i>Mephitis mephitis</i>
Red fox	<i>Vulpes vulpes</i>

Table 6. Other small mammal species that have habitat within the Park include:

American Badger	<i>Taxidea taxus</i>
Antelope Ground Squirrel	<i>Citellus leucurus leucurus</i>
Chisel Toothed Kangaroo Rat	<i>Dipodmys microps bonnevilliei</i>
Deer Mouse	<i>Peromyscus maniculatus sonoriensis</i>
Grasshopper Mouse	<i>Oryzomys leucogaster utahensis</i>
Harvest Mouse	<i>Reithrodromys megalotis megalotis</i>
Kangaroo Mouse	<i>Microdipodops megacephalus leucotis</i>
Least Chipmunk	<i>Eutamias minimus pictus</i>
Little Pocket Mouse	<i>Perognathus longimembris gulosus</i>
Ord's Kangaroo Rat	<i>Dipodmys ordii pallidus</i>
Red fox	<i>Vulpes vulpes</i>
Short-tailed Weasel	<i>Mustela erminea</i>
Vagrant Shrew	<i>Sorex vagrans</i>
Bats	
Little Brown Myotis	<i>Myotis lucifugus</i>
Silver-haired bat	<i>Lasiurus noctivagans</i>



Photo: Ord's Kangaroo rat (*Dipodmys microps bonnevilliei*) – courtesy of Rick Manning.



Photo: Meadow vole (*Microtus pennsylvanicus*) – courtesy of John White

Amphibians and Reptile Species (Herps)

The Western chorus frog (*Pseudacris triseriata*) was the only herp species observed during field visits. In all cases it was heard only – but present throughout most parts of the Park with standing water. Western chorus frogs prefer marshy meadows, and slow moving streams and permanent moving water. If these areas dry out, they may be found in fallow fields.



Right: Western chorus frog (Pseudacris triseriata) – Photo: UDWR

Northern leopard frog could also potentially be present at this site. Habitat requirements for this species include a variety of aquatic habitats, slow or still-moving water along streams and wetlands. Sub-adult Northern Leopard frogs will migrate to feeding sites along the borders of larger permanent bodies of water like Buffalo Pond. Adult diets consist mainly of small invertebrates and they will forage in grassy areas, along streams and drainages and permanent bodies of water.

Snakes were also observed at the Park along the edges of trails and the rocky rip-rapped slopes along the power line road appear to be suitable brumation (hibernation-like state) sites for common garter snakes, and perhaps for the Great Basin gopher snake.

The presence of herps at the Park is and can continue to be compatible with livestock grazing as there are areas that are so wet and dense with vegetation so as to discourage continuous presence of cattle. Improvements to herp habitat can also be made by excluding cattle to certain areas.



Figure 30. Common garter snake (*Thamnophis sirtalis*) at the Park- photo: Valerie Frokjer

Table 7. Herp species that may be present within the Park include the following. Note that not all species were observed.

Common Name	Scientific Name	Observed
Amphibian		
Western Chorus Frog	<i>Pseudacris triseriata</i>	Yes
Great Basin Spadefoot	<i>Spea intermontana</i>	No
Woodhouse's Toad	<i>Anaxyrus woodhousii</i>	No
Bull Frog (Not Native)	<i>Lithobates catesbeianus</i>	No
Northern Leopard Frog	<i>Lithobates pipiens</i>	No
Western Spotted Frog	<i>Rana pretiosa pretiosa</i>	No
Lizards		
Western Collared Lizard	<i>Crotaphytus collaris bicinctores</i>	No
Great Basin Fence Lizard	<i>Sceloporus occidentalis longipes</i>	No
Sagebrush Lizard	<i>Sceloporus graciosus</i>	No
Northern Side-blotched	<i>Uta stansburiana</i>	No
Salt Lake Horned Toad	<i>Phrynosoma douglassii (spp)</i>	No
Great Basin Horned Toad	<i>Phrynosoma douglassii (spp)</i>	No
Western Skink	<i>Plestiodon skiltonianus</i>	No
Western Whiptail	<i>Cnemidophorus tigris</i>	No
Snake		
Wandering Garter Snake	<i>Thamnophis elegans vagrans</i>	Yes
Common Garter Snake	<i>Thamnophis sirtalis</i>	No
Western Yellow-bellied Racer	<i>Coluber constrictor mormon</i>	No
Desert Striped Whipsnake	<i>Coluber taeniatus taeni</i>	No
Great Basin Gopher Snake	<i>Pituophis catenifer deserticola</i>	No
Desert Night Snake	<i>Hypsiglena torquata deserticola</i>	No

Wildlife Species of Concern

One federally threatened and at least seven species that have been designated by the State of Utah as wildlife species of concern could either potentially use the Park as is and/or benefit from improved habitat conditions. Species designated as threatened by the US Fish and Wildlife Service (USFWS) are those that are vulnerable to endangerment in the near future. Wildlife species of concern are those species for which there is credible scientific evidence to substantiate a threat to continued population viability. UDWR rationale for wildlife species of concern designations - November 9, 2010.

(<http://dwrcdc.nr.utah.gov/ucdc/viewreports/SSLAppendices20110329.pdf>)

The presence of these species of concern can be compatible with livestock grazing as either habitat use for these birds does not overlap much or very little with cattle use and/or management of other habitats can be adapted so as to allow overlap of these species by modifying the timing and intensity of grazing.

Table 8. The following list includes the federally threatened and state species of concern that either currently use the Park or have suitable habitat within the Park.

Name (approximate number observed)	Scientific Name	Presence Noted?	Status	Habitat
Snowy Plover	<i>Charadrius nivosus</i>	No	USFWS Threatened	Saline Playas
Long billed curlew (≈ 15)	<i>Numenius americanus</i>	Yes	State - UDWR Wildlife Species of Concern	Open Shallow Water, Upland Meadows
American White Pelican ($\approx 150+$)	<i>Pelecanus erythrorhynchos</i>	Yes	State - UDWR Wildlife Species of Concern	Open Deep Water
Bald Eagle (1)	<i>Haliaeetus leucocephalus</i>	Yes	State - UDWR Wildlife Species of Concern	Cottonwood Trees
Short-eared owl	<i>Asio flammeus</i>	No	State - UDWR Wildlife Species of Concern	Upland Meadows
Northern goshawk	<i>Accipiter gentiles</i>	No	Conservation Agreement Species	Upland Meadows
Ferruginous Hawk	<i>Buteo regalis</i>	No	State - UDWR Wildlife Species of Concern	Upland Meadows
Burrowing Owl (Secondary breeding habitat)	<i>Athene cunicularia</i>	No	State - UDWR Wildlife Species of Concern	Upland Meadows

Resource Trajectory

A variety of wetland and upland habitats in good condition will continue to provide a refuge for a diversity of wildlife and waterfowl. A concerted effort is needed to maintain and improve habitat quality in order to continue to yield effective habitat for all wildlife and waterfowl that depend on this area. Suggestions for habitat maintenance and improvement are given in Chapter 5 – Stewardship Recommendations. The numbers of feral cats observed on the property likely have significant predatory impacts that can not only negatively affect the small mammals and ground-nesting and migratory songbirds that they hunt, but also the raptors and other carnivores that eat them. Trespass and/or mismanaged livestock can result in a decrease of habitat quality for ground-nesting birds and small mammals and could result in a loss of vegetation diversity.

DESIRED FUTURE CONDITIONS

It is of utmost importance to continue to provide effective habitat for the abundant wildlife and waterfowl to assure they will use the Park as a refuge. Habitat improvements can take many forms, but all improvements need to consider how each action may affect other aspects of the ecosystem. For instance, if raptor perches are installed in the southern pastures, the effects of additional raptor presence and hunting on other species must be monitored to assure management objectives are being met. Further, it may be desirable to 'stack' uses of the Park by constructing a stormwater retention pond or ponds on the property, but in such a way as to also improve wetland vegetation and habitat conditions. This could serve a primary ecological goal of increased residence time of water flowing through or over the property for improved water quality as well as increased wetland and riparian extents, all while providing an area for storm water retention prior to the water reaching the Great Salt Lake.

Upland Meadows

The lack of cover and structure in the upland meadows is not beneficial to grassland ground-nesting birds, raptors and small mammals. To improve fallow agricultural lands, it is recommended that non-native noxious weeds be controlled and minimized and native grasses such as Inland salt grass (*Distichlis spicata*), alkali sacaton (*Sporobolus airoides*), and alkali grass (*Puccinellia nuttalliana*) be planted to diversify ground cover for a host of species. As possible, a slight variation of topography could be incorporated by the creation of small mounds and hills to be revegetated with saltbush (*Atriplex spp*) and greasewood (*Sarcobatus vermiculatus*). This action would create topographic, vegetation, and habitat complexity to improve cover for nesting ground birds (short-eared owls, killdeer, pheasant) and habitat for small rodents.

The increase in vegetation composition, structure and diversity could then increase insect diversity and productivity that would in turn improve foraging and nesting conditions for many avian species. The vegetation modification could also benefit small mammals such as the Meadow and Montane vole, Little Pocket mouse, Grasshopper Mouse, Vagrant shrew and Ord's kangaroo rat population to then also provide a prey base for a variety of raptors, mammals and snakes.

Open Water - Buffalo Pond

Buffalo Pond is a hot spot for waterfowl and other aquatic birds. Enhancement of the habitat complexity around the pond would be beneficial to multiple species of resident and neotropical migrants. This enhancement would entail planting vegetation with structure variability including peach leaf willow (*Salix amygdaloides*) and coyote willow (*Salix exigua*), as well as additional cottonwoods that would provide habitat structure for a multitude of species.

Improved habitat structure around that pond would also increase the insect diversity in the area. Additional species that could be drawn to the area due to an increase in insects include bats (Little brown myotis and Silver-haired bat) and the violet-green swallow and common nighthawk. Stands of willow and a dense shrub understory near open water are preferred habitats for several species including the rare Northern waterthrush and Wilson's warbler. Additional cottonwoods would benefit sparrows, warblers, and raptors.

Issue Identification

- **Feral cats** are prevalent throughout the Park. These cats are significant predators to small mammal and bird populations – especially ground-nesting and roosting species. A program to remove these individuals is recommended.



Figure 31. One of the many feral cats on the Park

- **Phragmites and other noxious weeds**
Noxious weeds have little wildlife value and reduce habitat quality. The presence, extent and density of these species can have a negative effect on the diversity, quantity and distribution of wildlife populations. However, careful consideration must be given to the methods utilized to reduce or remove the phragmites, the rate at which the habitat is modified, and species to take its place to assure the birds do not leave the area entirely.
- **Conservation Easement Violations**
There were several violations of the Conservation Easements were documented and described in the winter of 2014. These included illegal soil dumping, unsightly trash and debris, hunting, and storage of personal property among others.
- **Storm Water Discharge onto the Park**
The discharge of stormwater directly onto the property is noticeable throughout the park as no trash grates or screens nor drain filters appear to be present on storm drains. As a result contaminants easily reach the Park and it is relatively unknown what types and in what concentrations these contaminants reach the Park.

Resource: Water Resources

Resource Summary

Significant Features

- **Baer, Haight, Spring and Shepard Creek traverse the Park** –In this otherwise arid area, four creeks traverse the property on their way to the Great Salt Lake to sustain a mosaic of wetland habitats.
- **Jurisdictional Wetlands** – There are approximately 148 acres of US Army Corps of Engineers jurisdictional wetlands on the Park. This assures that a wetland permit would mostly likely be required for most activities on the property.
- **Wetland Habitat Interspersion** –The Park provides open deep water, open shallow water, saline playas, wet meadows and emergent marshes. Each of these wetland habitats satisfies different needs of wildlife as well as function to maintain or improve water quality.

Threats

- **Noxious Weeds** – Noxious weeds are scattered throughout the Park, and will be a constant management task to maintain suitable wildlife habitat.
- **Water Quality** As a number of storm water culverts discharge directly onto the Park. All pollutants and debris on roads will end up on the property and decrease water quality.
- **Availability of Fresh Water** – The threat of more frequent and severe droughts as well as increased water use by residents may translate to less available water for the wetlands of the Park to reduce the function of the wetlands of the area.

Description

Baer and Shepard Creek originate from the mountains just East of Farmington. Haight Creek and Spring Creek originate from springs also on the east side of the City. Shepard and Spring Creek diverge just east of Interstate 15, then the two waterways flow parallel to one another in a south and west direction ½ mile apart toward the Park. The fresh water that flows downslope from both the snowmelt and the spring support the rich ecosystem on the shore of the Great Salt Lake. The fresh water dilutes the highly saline waters of the Great Salt Lake to create brackish waters within the wetlands closer to the Great Salt Lake.

Shallow water and the consistent fluctuation of the Great Salt Lake are basic ingredients in the creation of highly productive habitats for wading birds as these areas are highly suitable for aquatic invertebrates upon which shorebirds feed. Plant communities at the saltwater/freshwater interface are dynamic as a result of ongoing fluctuations with seasonal variation and periods of climatic change. This sustains habitats in a fresh and vigorous condition.

Habitat edges that are associated with wetlands such as dikes, riverbanks and shorelines are sites of freshwater invertebrate abundance. These areas are especially productive sites for midges, which are feed for many birds, fish, bats and dragonflies.

Adjudicated Water Rights

There are many adjudicated water rights in and around the Park. There are many (at least 13) groundwater wells around the park with owners ranging from Wheeler Machinery to the LDS Church to individual owners.

Surface water rights are also in and around the park also with various owners from individuals to the LDS Church to the Utah Division of Wildlife Resources. Of particular interest is ownership of 8cfs from Baer Creek that is owned by the Utah Division of Wildlife Resources (Right # 31-2715). Further 1 cfs from surface drains are owned by Christensen Land Company near where Spring Creek enters the Park (Right # 31-5164).

At this time, it is unknown as to the seniority of these water rights – thus the regularity in which the water is actually delivered.

A possible discussion with the owners of the surface water rights in the area would help to understand the amount and schedule of water delivery. This information would serve useful in any future potential management actions that may require water for habitat restoration or creation in various areas of the park.

Groundwater

Groundwater is present at relatively shallow depths throughout the Park – anywhere between at the surface or up to 3 feet deep. The depth varies depending on soil and subsoil characteristics, and the amount of area upstream and gradient available to supply water for infiltration into the aquifers. The quality of the groundwater is generally good in the east shore aquifer system (UDWR 2009), but increasing pumping of ground water may pose a threat to the wetlands on the Park.

Conditions

Past Conditions

Prior to settlement, it is likely that the area now West of Interstate 15 was a mosaic of wetlands with upland islands. Water would flow freely from wetland to wetland in the flat to gently sloping areas prior to it reaching its final destination of the Great Salt Lake.

Current Conditions

The development of the area has resulted in various degrees of channelization of the creeks in the region. Creeks have been straightened, piped and/or re-routed so as to manage flooding susceptibility within the developed areas. Additionally, since the groundwater is so shallow in the area, the City has installed several land drains and storm drain pipes to direct water toward the lake. There are several storm drains that discharge directly onto the Park or into a ditch or creek that directs the water toward the Park (See figures 28 and 29 below). The creeks and at the Park are in fair condition since they have been so modified and are recipients of storm water pollutants. Contaminants to the Park through these systems would include:

- Sedimentation and debris from storm drains.
- Pollutants from livestock waste.
- Herbicides from noxious weed control measures.
- Sedimentation from loosened soil from livestock grazing



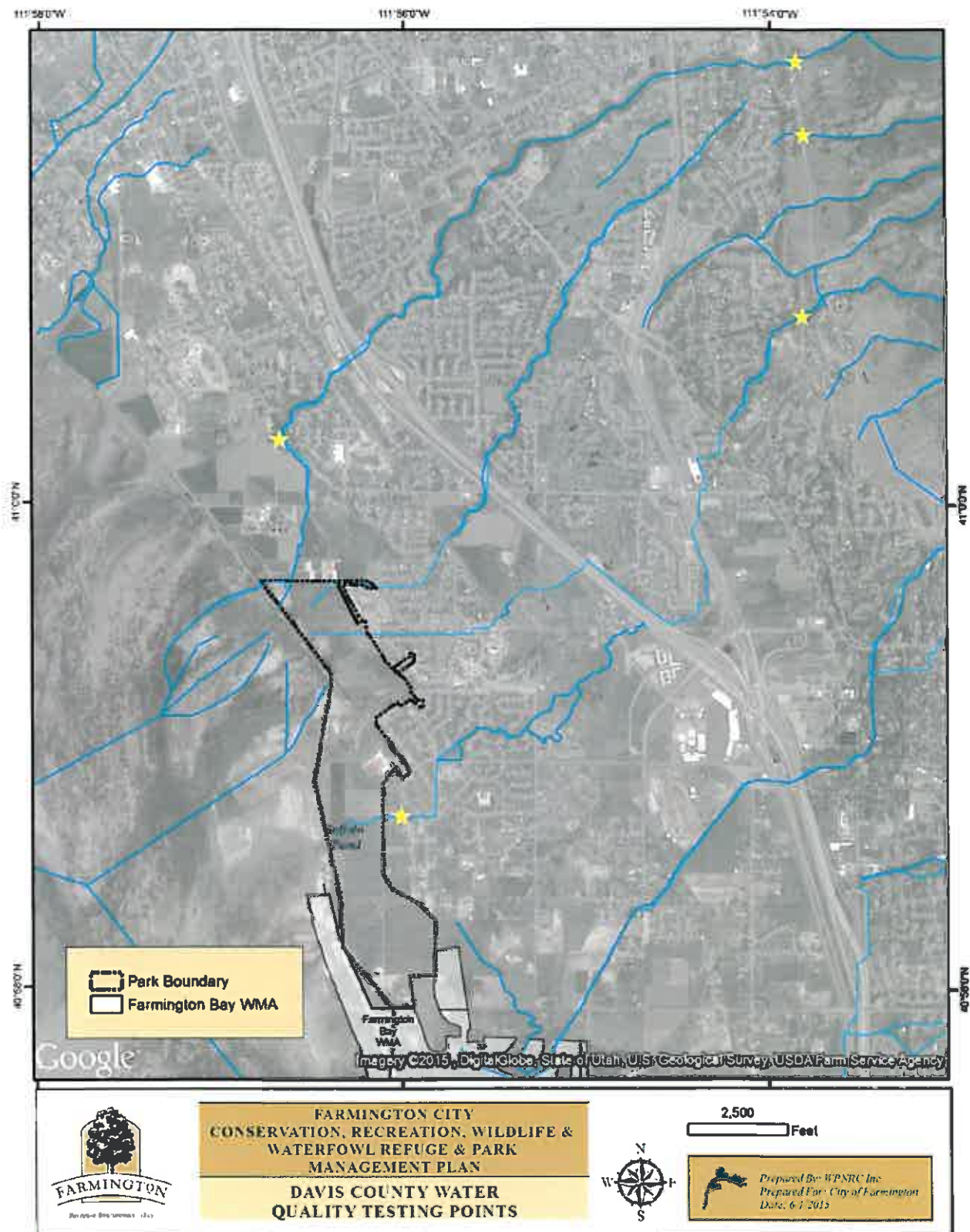
Figure 32. Storm drain from Hollybrook Way



Figure 33. Plentiful trash debris that rests in the emergent marsh of Shepard Creek prior to it reaching Buffalo Pond

The Davis County Department of Health samples water quality on upper and lower Baer Creek, Upper and lower Haight Creek, and upper and a lower Shepard Creek. (See Figure 30) For the most part, water quality is at standards, but sometimes, E.coli numbers are high, particularly in lower Baer Creek. The county does not test water quality during storm events.

Figure 34. Davis County Water Quality testing Points



Resource Trajectory

Should there continue to be further development in this area of Farmington, the increase in paved streets will increase the amount of storm water likely to be discharged onto the Park. Storm water often carries pollutants, debris and sediment. If these pollutants are discharged onto the Park, the degradation of water quality could have negative effects on the wildlife (particularly herptofauna). With intense summer storms potentially on the rise in the future, it will be important to upgrade storm water management techniques where possible.

It should be noted that control regulations for off –site and upstream watershed background sources for nutrient loading from Non-Point Sources is beyond the scope of this plan.

DESIRED FUTURE CONDITIONS

The installation of trash racks, trash grates and/or drain guards on the storm drains that discharge onto the Park can reduce the debris and pollutants being released into the Park with every storm. It should be noted that these installations will likely require more maintenance to assure they remain clear of debris that would appear unsightly or cause blockage to the storm drains.

Resource: Geology and Soils

Resource Summary

Significant Features

→ **Unique Great Salt Lake Landscape and Geology** - As the Great Salt Lake is a terminal basin, the millennia of sediments that have been deposited in the area can be up to 10,000 feet thick.

→ **Unique salt affected ecosystem** – The terminus of the watershed being the Great Salt Lake has created a highly saline environment. The suite of vegetation and wildlife species that have adapted to this environment are a unique feature of the arid West, the Great Basin and thus the Park.

Significant Threats

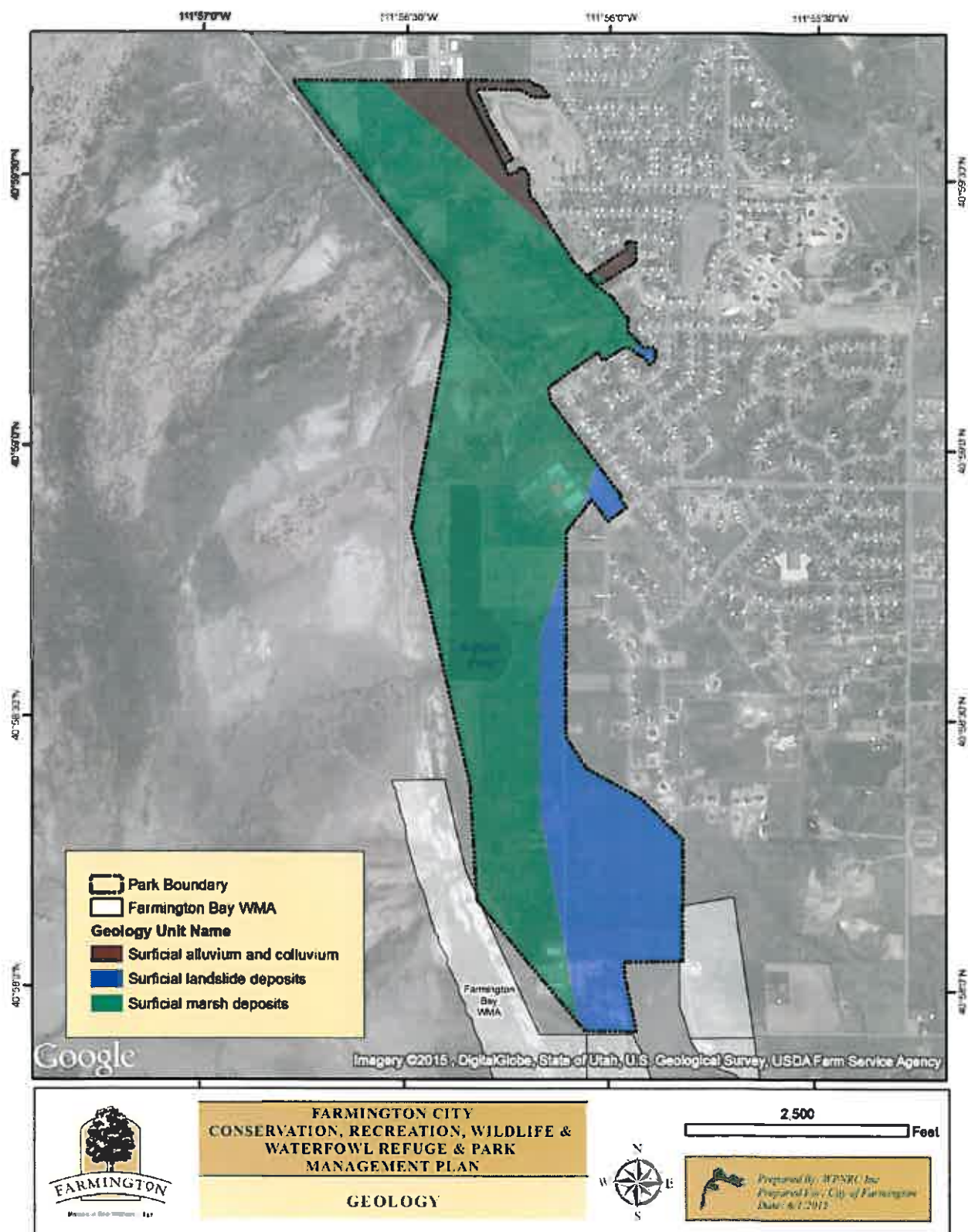
→ **Salty Soils**- Although saline soils are a natural feature of the Park, it often provides challenges for vegetation management. All seed mixes to be used at the Park should include saline tolerant species.

Description

Geology

The geology of the area is a mixture of lacustrine deposits coming from the West from the millennia of rise and fall of the Great Salt Lake and landslides from the Wasatch Front. Davis County has a map of areas that are geologic hazards due to areas that are subject to debris flow. The active Wasatch Fault is at the base of the Wasatch Range is at the eastern margin of the depositional basin of the Great Salt Lake. The GSL Basin is overlain by Quaternary fill and surficial deposits that are mostly fluvial, lacustrine and deltaic origin. These Quaternary deposits hold the important ground water aquifers that underly the area (Bishop et al 2009).

Figure 35: Geology of the Park in Farmington



Soils

It is important to associate the underlying soils with the vegetation types as soil chemical and physical properties strongly influence the vegetation community that develops upon it. The following soils are found on the Park (see Figure 25). It is important to note that the soils in the area were mapped at a scale that may not capture the inherent variability of soil at a finer scale. However, the soil map provides good context for both the current and past vegetation types, as well as the vegetation the soils may be able to support with some management actions. The soil types on the properties are summarized below.

WgA – Warm Springs Fine sandy loam

This soil is found on lake terraces, is highly alkaline (with a pH up to 10 at 8" depth) and formed from lacustrine deposits. On average, the water table is approximately 33" from the soil surface. Since the soil is so saline (with many different salts) as well as sodic (high in sodium), the soils support a select suite of plants that are tolerant to these conditions. The Natural Resource Conservation Service (NRCS) describes the soils as an 'alkali bottom' rangeland site. The Warm Springs fine sandy loam is not a listed hydric soil.

WhA – Warm Springs fine sandy loam – channeled.

Same as WgA above, channeled.

AS – Arave-Saltair Complex 0-1% slopes

These soils are found on lake plains and also formed from lacustrine deposits. On average, the water table is approximately 24" from the soil surface. The soil texture is a silt loam at the surface and generally becomes more fine textured with depth. This soil is also relatively alkaline with a pH of up to 8.5 to 9. This soil is not a listed hydric soil and is also described as an 'alkali bottom' rangeland by the NRCS classification.

Sa- Saltair silty clay loam

Saltair silty clay loam is a poorly drained soil formed in lacustrine deposits with occasional flooding hazards. The Saltair soil experiences continuous or periodic saturation and reduction. The Saltair soil is included on the National Hydric Soils list.

SPL - Saltair-Playas-Lasil Complex

The SPL soils are a complex that consists of 40% of the Saltair soil unit, 35% of the Playa soil unit and 20% of the Lasil soil unit. The complex is found on historic lake plains (playas) that formed from lacustrine deposits from mixed lake sediments. The Saltair soil is described above and is on the National Hydric Soils list and is listed as a 'Desert Salty Silt' rangeland site by the NRCS.

The Playa series is typed as an Entisol, which is a soil that does not show any profile development other than an A horizon. These can occur as a result of erosion, continuous repeated deposition or flooding or saturation. The Playa soil type is also found on the Hydric Soils list and is also listed as a 'Desert Salty Silt' rangeland site.

The Lasil series is a saline-alkali affected soil that is somewhat poorly drained. They are generally located on lake plains and they formed from calcareous mixed lake sediments from sedimentary and igneous rocks. The Lasil series is not included on the National Hydric Soils list and is described by the NRCS as an 'alkali bottom' rangeland site.

Lb – Lakeshore fine sandy loam – 0-1% slopes

These soils are found on lake terraces and formed in lacustrine deposits. On average, the water table is only 10" below the soil surface. Lakeshore is on the national hydric soil list. Since the soil tends to be alkaline, the NRCS described the vegetation community on these soils as a 'wet saline meadow'.

SkA – Sunset Loam – Drained 0-1% slopes

These soils are found on flood plains and stream terraces and were formed from alluvium. Since these soils have been drained, the water table is on average 51" below the soil surface. Sunset loam is not a listed hydric

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soil and is described by the NRCS as a semi-wet fresh meadow. The soil has low salinity, with a relatively neutral to alkaline pH and is thus designated as prime farmland if it is irrigated. The soil exhibits a very consistent texture of loam to a depth of 68".

Ac – airport silt loam – 0-2% slopes

These soils are found on lake terraces and were formed in lacustrine deposits. These soils are both saline and sodic and are listed as an 'alkali bottom' vegetation community by the NRCS. On average, the water table is about 33" below the soil surface and these soils are thus not a listed hydric soil. The soil texture becomes slightly more fine with depth trending from a silty clay loam to a clay loam.

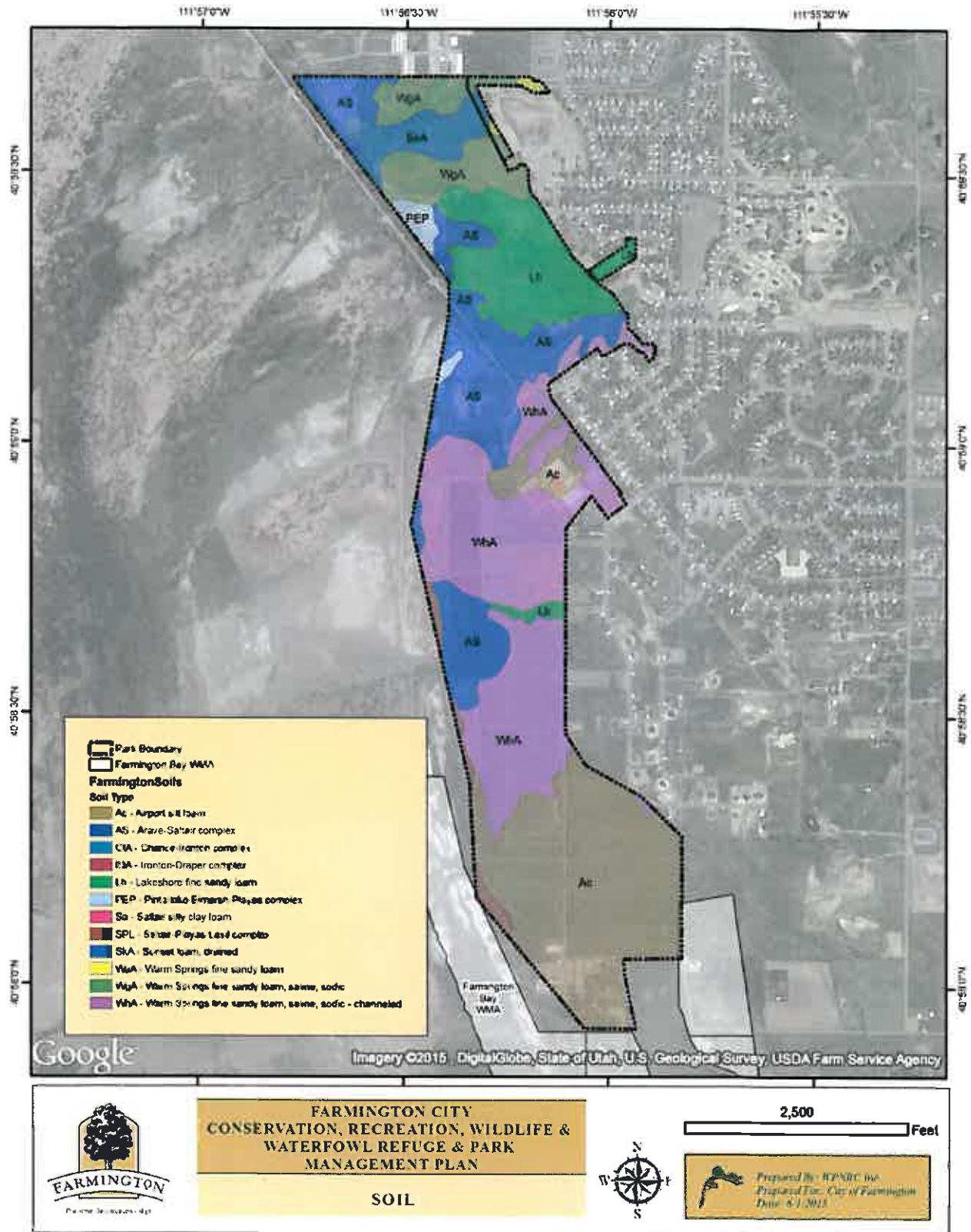
PEP - Pintailake-Eimarsh-Playa Complexes

The Pintailake series consists of very deep, very poorly drained soils that formed in alluvium over lacustrine deposits derived from limestone, shale, and quartzite and is found on lake plains with gentle slopes of 0 to 1%. The Pintailake series comprises approximately 45% of the map unit. The parent material is alluvium over lacustrine deposits derived from limestone, shale, and quartzite. The Pintailake is a hydric soil and classified as 'Lakeshore Marsh' by the NRCS.

The Eimarsh series also consists of very deep, poorly drained soils that formed in lacustrine deposits derived from limestone, shale, and quartzite. Eimarsh soils are also on lake plains with gentle slopes of 0 to 1% and are classified as a 'Wet saline meadow' by the NRCS. The Eimarsh soil is a hydric soil and comprises approximately 30% of the map unit.

The Playa series is typed as an Entisol, which is a soil that does not show any profile development other than an A horizon. These can occur as a result of erosion, continuous repeated deposition or flooding or saturation. Playas comprise about 10% of the map unit and are classified as a 'Desert Salty silt' rangeland site by the NRCS.

Figure 36. Soil Types at the Park



Past and Current Conditions

The past and current conditions are essentially the same for geology, however, the soils have likely been altered as they have been drained and otherwise worked for agriculture over the years. This may mean that the soil profile may not be the same as described in the NRCS Soil Survey.

Resource Trajectory

There is little threat to the soils and geology of the area as erosive forces are minor in such a gently sloping area

DESIRED FUTURE CONDITIONS

Be sure to characterize the soil in more detail if any activity or building is permitted on the Park, as the soil drainage, tendency to pond or flood and soil chemical characteristics can affect structures and/or level of success of proposed habitat enhancements.

Table 9: Dominant soils found at the Park and adjacent areas

<u>Name</u>	<u>Erosion Potential</u>	<u>Location in Park</u>	<u>Ponding Hazard</u>	<u>Soil origination</u>	<u>Potential Management Issues</u>
<u>WgA/Wha – Warm Springs Fine sandy loam (Wha is drained)</u>	Low runoff class	Under most of Hunter's Creek CE	None	Lacustrine deposits	~ 33 inches to water table, poorly drained, very high salinity and sodicity, (difficult revegetation)
<u>AS – Arave-Saltair Complex</u>	Medium runoff class	Under southern ½ of Buffalo pond, north Buffalo Ranches and some of Farmington Ranches CE and north western region of Hunter's Creek CE	None	Lacustrine deposits	~24 inches to water table, poorly drained, very high salinity and sodicity, (difficult revegetation)
<u>Sa- Saltair silty clay loam</u>	Very high runoff class	Under eastern region of Dem Gardner property	Occasional	Lacustrine deposits	Hydric soil, depth to water table only 6 inches
<u>CIA – Chance – Ironton complex</u>	Very high runoff class	Under Dem Gardner property	None	Alluvium	Hydric soil, poorly drained, depth to water table 9 inches
<u>SPL - Saltair-Playas-Lasil Complex</u>	Negligible runoff	Far western side of property	Occasional	Lacustrine deposits	Hydric soil, poorly drained, depth to water table varies between 15 and 50 inches, high salinity and sodicity
<u>Lb – Lakeshore fine sandy loam</u>	Negligible runoff	Under Shepard Ck and under most of Farmington Meadows	Frequent	Lacustrine deposits	Hydric soil, poorly drained, very high salinity and sodicity
<u>SkA – Sunset Loam – Drained</u>	Low runoff class	Under central portion of Hunter's Creek CE	None	Alluvium	Well drained, prime farmland if irrigated
<u>Ac – airport silt loam</u>	Medium runoff class	Under southern ½ of Buffalo Ranch and under facilities at Buffalo Ranch	None	Lacustrine deposits	~ 33 inches to water table, poorly drained, high salinity and sodicity, (difficult revegetation)
<u>PEP - Pintailake-Eimarsch-Playa Complexes</u>	High runoff class	Under northwestern section of Farmington Meadows CE	Frequent	Lacustrine deposits	Depth to water table between 5 and 15 inches, very poorly drained, high salinity and sodicity

Source: NRCS Soil Survey of Davis-Weber Area, Utah, 2003 (USDA 2003).

Chapter 4 - Resource Influences

The previous chapter, Resource Element Descriptions, discussed natural resources in detail. This chapter highlights the influences that can affect the condition of natural resources at the Park. Impacts and influences interacting with natural resources may be regional or localized, originate inside or outside the park boundary, and occur naturally or from human activities. These influences may have beneficial effects, detrimental effects, or both. The following information outlines sources of the most significant or likely influences, and the subsequent impacts that may result, as well as recommendations to help stem negative impacts. The City of Farmington is intending to initiate discussions with the Farmington Bay WMA to consider the possibility and interest of a cooperative management agreement. A cooperative management agreement would benefit both the Park and the WMA to assure habitat conditions and objectives are consistent across boundaries to serve the primary purpose as wildlife and waterfowl refuge area.

Regional Influences

Climate

Climatic patterns influence the nature of geophysical resources with differences in moisture availability, length of growing seasons, and overall ecosystem development. Most precipitation comes as snow in the winter or rains in the early spring (April and May). A summary of average annual temperature and precipitation is given for Farmington Utah, from records taken between 1893 to 1965. The combination of latitude, landscape position and timing and amount of precipitation dictates the vegetation communities that establish in any given area.

Farmington 1893-1965

	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Temperature													
Average daily maximum	37.8	43.2	52.3	62.7	72.8	82.4	91.5	89.1	79.1	66.2	50.8	40.1	
Average daily minimum	19.1	23.8	29.9	37.0	44.0	50.8	58.3	56.5	47.1	37.9	28.4	22.1	
Precipitation (Monthly average)	2.2	2.1	2.24	2.34	2.17	1.1	0.5	1.05	0.96	1.56	1.84	1.94	19.99

WRCC Accessed 2015_04_16 <http://www.wrcc.dri.edu/cgi-bin/cliMAIN.pl?utfarg>

Population Growth and Development

The Wasatch Front has seen extraordinary population growth in the last 10 years as many find this suburb of Salt Lake as a desirable place to live and still able to work in a large metropolitan area. Population trends and predictions are provided in Table 10 for Davis County, Utah, which is the most likely population center to supply visitors to the Park. The growth of this area of Davis County may slow as a result of being 'built out'. As this area becomes an integral part of the regional recreation and trail system, park visitation is expected to increase.

Table 10: Population figures for Davis County Utah

	Davis County	Average % increase
1990	188,471	NA
1995	216,054	14%
2000	240,204	11%
2005	278,278	16%
2010	307,550	11%
2015	323,992	5%
2020 (est)	347,412	7%
2030 (est)	386,672	11%

Source: Davis County Demographer (Site accessed April 17, 2015)

Adjacent Land Uses

The Park is surrounded on the East and North sides by various levels of development, consisting of residential neighborhoods to the East and agricultural activities on the north. The Farmington Bay Wildlife Management Area (WMA) is directly adjacent on the south side of the Park. The Great Salt Lake lies immediately to the West. The combination of these different surrounding land uses creates a gentle boundary between the Great Salt Lake Ecosystem and urbanization. The placement of conservation easements over these properties was an insightful action accomplished by the City of Farmington, not only to provide the City relief from flooding potential from the inevitable rise of the Great Salt Lake in wet years, but also to provide open space and wildlife and waterfowl habitat along the shore of the Great Salt Lake with minimal human interaction.

Land uses adjacent to the Park can create increased pressure on the natural resources of the Park as different land management practices or activities creates inconsistencies of overall land management goals, and thus land management activities. The following is a brief description of adjacent landowners and/or activities:

- Privately owned parcels- As more people move onto the Wasatch Front, these subdivisions are considered "suburbs" of the greater Salt Lake area. A number of impacts due to infilling of these suburbs adjacent to the Park can have daily impacts on the Parks natural resources, including:
 1. Domestic and feral pets- Homeowners dogs and cats will intermittently escape and venture onto the Park, where they can be a nuisance to park visitors and park wildlife. In particular, feral cats can have a devastating effect on bird and small mammal populations, thus affecting the rest of the ecosystem.

2. Increased roads in adjacent subdivisions, thus impermeable area- The increased storm water coming off these roads onto the Park will likely bring more pollutants from the surface water runoff.
3. Increased refuse and debris. - Increased use of the Park will likely mean more refuse from pets (horses, dogs) as well as picnic refuse and other debris onto Park property

- Livestock use

The continuing permitted use of livestock grazing provides valuable feed and space for the lessees of the Park. A central management concern for these lessees is the maintenance of sufficient forage and water for the livestock. If livestock grazing is executed consistent with the easements, this activity is consistent with the primary purpose of the Park as a wildlife and waterfowl refuge. Further, the allowance of livestock grazing in the easements provides a very powerful land management tool for potential habitat improvements or changes.

- Farmington Bay Waterfowl Management Area

Directly south of the Park, the 18,000-acre Farmington Bay WMA was established in 1935 and has been managed ever since to provide habitat for hundreds of thousands of waterbirds, songbirds and raptors. In fact, by 1991, the Farmington Bay WMA was part of a dedication of the Great Salt Lake into the Western Hemispheric Shorebird Reserve Network. Further, to the North, many other preserves lie along the shores of the Great Salt Lake including the Great Salt Lake Shorelands (managed by The Nature Conservancy), the Howard Slough, Ogden Bay and Harold Crane Wildlife Management Areas (managed by the State of Utah), and the Bear River Migratory Refuge (managed by the US Fish and Wildlife Service). (See Figure 27) All of these refuges and designations reflect the significance of this ecosystem to millions of shorebirds and waterfowl. The City of Farmington intends to pursue a cooperative management agreement with Farmington WMA to ensure consistent land management in the area for the wildlife and waterfowl

The following recommendations are provided to assist in managing the impacts associated with the influences of adjacent properties.

- A. Work with landowners and City Planners to minimize or limit the impacts of the adjacent development and land uses.
- B. Continue to enlist the help of residential neighbors and adjacent landowners. Use mailings, workshops, volunteer contacts, and handouts, to assist in the dissemination of information such as:
 1. Assistance in monitoring park vegetation and wildlife.
 2. Weed control and techniques
 4. Landscaping with native plant species
 5. Proper trash management
 6. Controlling the effects of dogs and cats on wildlife
- C. Implement the use of Ecological Sensitivity Zones (see Chapter 5)

Wildlife Corridors

Wildlife corridors are widely known to be important to species conservation. What is important to keep in mind are issues of scale- that is, what is the home range of the animal utilizing the corridor, and how far do they travel? For instance, a corridor for a mouse may be the riparian area next to a small stream, while for a migrating shorebird, the Rocky Mountain flyway from South America up to the arctic may be its movement corridor. Since the Park lies on the shores of the Great Salt Lake – a major migrating bird Flyway, several species of birds use the Park for loafing and foraging, and a few species may use the Park for nesting.

Habitat Fragmentation

Effects of further fragmentation of habitat in this area would be somewhat subtle and the effects difficult to predict. Habitat fragmentation could take the form of different visitor use patterns and trail use. As such, any future trails will remain on the outskirts of the Park to assure as little disturbance to the wildlife and waterfowl as possible. If nesting birds are found near trails, then City staff should consider creating a buffer area around that nest and implement trail closures if necessary to allow successful nesting and rearing.

Noxious Weeds

A constant threat to the preservation of biological resources is the invasion of exotic plant species, particularly noxious weeds. These can move into disturbed areas, multiply, and persist over time. Weed control is essential because exotics have few natural enemies. When weeds spread into native ecosystems, they reduce the diversity, destroy habitat by shading native plants, or eliminate natives with allelopathic chemicals. The creeks that run through the Park serve as a course for new and different noxious weed species to become established on the Park. An integrated weed management plan for the Park should include:

- A. Prioritized goals for weed management.**
- B. Clearly identified and understood prevention techniques.**
- C. Plans for management and control of exotic species.**

Plants that are not part of Utah's native vegetation are considered **exotic species**, and those that are listed on a list generated by the State are considered **Noxious weeds**

Park Facilities and Continued Park Development

Visitation

Visitor numbers have not been estimated for the Park at this time. City staff should pay close attention to not only the number of visitors, but the type of recreation in which each visitor partakes, as well as the seasonal trends in visitor numbers and activities. Each recreation activity will have a different impact on the various resources at the park. The combination of the knowledge of visitor interests and activities and the natural resources at the park will help direct the management of the Park as to prioritization and allocation of resources to sustain a refuge for the wildlife and waterfowl. All existing and proposed trails are consistent with this purpose as they will remain on the outer edges of the refuge.

Carrying Capacity and Natural Resources

Carrying capacity is a term defined as the reasonable maximum load or population that an area will support without undergoing deterioration. In theory, the carrying capacity for a Park such as this one would be the maximum number of visitors that would not compromise the natural resources. In reality, because of the many factors involved (i.e. visitor behavior, types of activities, park maintenance, surrounding land use, etc.) it is difficult to develop an exact number of visitors for the carrying capacity based on any equations or statistical relationship to the resources. At many parks, carrying capacity can be based on the number of parking spaces. But these methods do not address the effects on the natural resources.

For the Park, the best approach is to use quantitative as well as qualitative resource monitoring that can be done either annually by City staff or volunteers every 5 years as part of the management process. Through this type of monitoring, the following can be discerned:

- **Vegetation trends such as increased exotics, loss of species, or compositional changes.**
- **Wildlife changes such as loss of species, a decrease or increase in utilization by certain species.**
- **Erosion from social trail formation or stream bank trampling.**
- **Water quality monitoring data**

The results from this type of monitoring will provide important information on resource trends and provide insight into the possible effects of visitor numbers. These trends would inform City staff as to whether the activities in the Park are causing impacts beyond the sustainable carrying capacity. At that point it will be up to the City to decide the best course of actions to sustain the natural resource objectives.

If the level of use appears to be exceeding the carrying capacity, the City staff should consider a range of options including: redistributing visitors, curtailing some visitor activities, capping visitor numbers, increasing park buffer areas, initiating fee rates, increasing the maintenance budget for weed control, revegetation or other mitigation activities.

The level and types of recreation offered at the Park should be synchronized with the management objectives and the long-term protection of the Park's natural resources.

Recreation

Trail Use

Trail use by visitors provides the best means of experiencing the quality of the Park first hand. It is also important to recognize how trails and trail use from different user groups may have implications on wildlife populations and productivity, vegetation health and distribution, and the possibility of soil erosion. Different user groups will also have an effect on mitigation requirements and maintenance costs.

Impacts of Trails on Wildlife

Many studies have been conducted on the effects of trail construction and subsequent human use of these trails has on wildlife populations. Recreational trails can affect larger ecosystem processes by provoking changes in the distribution of wildlife across the landscape. The effects of trails such as altered vegetation structure, modified bird and mammal assemblages, and different tolerance levels of wildlife species to human recreationists can all potentially alter wildlife community structure in the vicinity and the distribution of wildlife across the landscape.

Trail corridors can also facilitate predator invasions by providing predators with a travel corridor and creating smaller fragments, which are often easier for predators to penetrate. This appears to be the case with the many feral cats on the Park property

Further, increased human disturbance is often an instigator for shifting wildlife use patterns on the landscape. Many wildlife species will become adapted to predictable, benign disturbances, such as cars driving down a road. Unpredictable but infrequent disturbances (people infrequently walking down a trail) allowed birds to return to their nests after the disturbance had passed; but with unpredictable, high level disturbances (many humans walking down a trail throughout the day), most birds were displaced all of the time, and only very few tolerant species remained in the area (Hockin et al. 1992). Gutzwiller et al. (1998) reported that the presence of people can cause behavioral changes that can negatively influence avian fitness. Increased stress, prevention of access to important resources, and a reduction of fecundity and survival were all noted in this study. Knight and Cole (1991) reported that recreationists primarily affect wildlife through unintentional disturbance.

In order to mitigate the negative effects trails can have in wildlife, suggestions include:

- A. Place trails in less sensitive habitats- away from riparian corridors, deciduous- bushy vegetation, aspen stands, and old growth forests. Trails should be 30' from creeks and riparian brushy vegetation, where many neotropical migrants nest.
- B. Restrict or modify trail use during seasons of the year when wildlife is especially vulnerable or sensitive to disturbance (nesting and fledging season).
- C. Establish secure areas that trails do not penetrate to ensure that wildlife have a refuge from human visitors.
- D. Concentrate recreational activities in "sacrifice areas" in order to maintain a high level of intact habitat- especially in sensitive areas
- E. Consolidate trails so there is less fragmentation and more interior core habitat, and less anthropogenic edge effects.

Picnic Areas

Picnic areas can modify areas of natural habitat and may create an unnatural source of food for area wildlife, an increase in noxious weeds, the accumulation of trash and litter that attract wildlife, and are potential sources of wildfires. Careful use and disposal of food is important to prevent potential

problems between visitors and wildlife. Wildlife proof trash facilities greatly help in preventing such problems.

Picnic Mitigations

- 1) Explicitly instruct visitors to not feed the wildlife they encounter and act responsibly with food storage, preparation and disposal
- 2) Always use wildlife proof trash cans.

Dogs in the Park

The presence of dogs accompanying their owners while at the park creates special concerns. Most domestic dogs still retain instincts to hunt and/or chase other animals. Even if dogs are controlled and not allowed to chase wildlife, their very presence has been shown to be disruptive to many wildlife species. Especially during winter, harassment by dogs results in excessive energy expenditures by wildlife.

Domestic dogs can potentially introduce diseases (distemper, parvovirus, and rabies) and transport parasites into wildlife habitats. Cumulative impacts of domestic dogs may have important implications for wildlife populations. Because of these factors, careful consideration of dog policies for the park will be critical in controlling the profound effects possible. Dog feces and marking areas with urination may impact sensitive wildlife species and create clean-up issues for park staff.

Dog Mitigations

- 1) Dogs should be on-leash at all times
- 2) Have seasonal "No Dog" signs on trails during the spring when wildlife is most sensitive to dogs due to fledging
- 3) Install dog feces collection bags on trails that allow dogs, and have trashcans at trailhead to facilitate dog walkers cooperation
- 4) Install information board to inform dog owners of the issues with dogs off-leash, and dog feces.

Feral Cats

Although this is a controversial topic, it is a clear management issue for the Park, particularly since the main objective is to promote wildlife and waterfowl habitat and refuge. A new study shows that cats (feral cats in particular) kill far more birds and small mammals than scientists previously thought. Through a systematic review and quantitative estimate, it has been estimated that cats kill 1.3 to 4.0 billion birds each year in the United States (Dauphine and Cooper 2009). Additionally, it is estimated that 6.3 to 22.3 billion small mammals succumb to feral cats. The loss of these small mammals can indirectly kill native predators by removing their food base.

It should be noted that the trap, neuter and re-release programs that have been encouraged as a more humane way to reduce feral cat populations have not shown success.

Chapter 5 - Stewardship Recommendations

The goals and objectives below have been written to help sustain this unique part of the Wasatch Front of Utah. Each recommendation bolsters the primary function of the Park as a wildlife and waterfowl refuge as recreationists will be limited to trails and any future trails will be sited on the outskirts of the Park to assure as little disturbance to the wildlife as possible.

Stewardship Goals and Objectives

The Baseline Resource Assessment and review of all available studies suggest the stewardship goals and objectives for the next five years should be:

To preserve and protect the valuable natural resources of the Park

- ◆ Protect the wetland areas of the Park to assure habitat for wildlife and waterfowl is preserved as well as to provide a unique, natural experience for Park visitors.
- ◆ Protect any potential nesting areas by accurately identifying nest sites each year and protecting them from disturbance during nesting and fledging periods.
- ◆ Maintain and improve water quality in the creeks to protect valuable wildlife at the park.
- ◆ Implement a feral cat control program in the Park to reduce wildlife loss to feral cat hunting.
- ◆ Implement an aggressive noxious weed control program to improve conditions for native vegetation communities and thus wildlife habitat.

To maintain the outstanding scenic and natural qualities of the Park

- ◆ Continue sustainable trail construction and maintenance procedures on all new and existing trails to minimize erosion and assure proper routing. Be sure to maintain unobstructed views to the Great Salt Lake
- ◆ Concentrate recreational use and foot traffic as much as possible to conserve sensitive areas for natural resources.

Implement a comprehensive natural resource monitoring program to ensure that the above goals and objectives are met

- ◆ Monitor bird populations and all vegetation types as recommended in Chapter 6- Monitoring.
- ◆ Use GIS as a natural resource planning and monitoring tool.

Prioritized Stewardship Actions

These are actions the park staff can conduct now to protect this resource:

Action Items	Area	Priority	Suggested Contact
Control the spread of noxious and invasive weeds	Vegetation, Wildlife	High	Brandon Hunt, Davis County
Implement a program for control of the feral cat population	Wildlife	High	Davis County Animal Control
GPS boundaries of fenced pastures, especially in the northern region of the Park	All	High	City Staff
Instigate at least bi-annual communication with livestock lessees to have them submit to the City their livestock types, numbers and length of time in the pastures	Wildlife, Vegetation	High	City Staff
Regularly scheduled quantitative bird surveys	Wildlife	High	Audubon Society
Install a few raptor perches in the south upland meadows for hunting and possibly nesting	Wildlife	Moderate	Audubon Society
Keep a detailed register of visitor numbers and activities to assure the best care for the natural resources in the future.	Vegetation, Wildlife, soils	High	City staff
Survey for small mammals	Wildlife	Moderate	UDWR
Plant willows and other native plants within riprap around Buffalo Pond to improve wildlife habitat	Wildlife	High	WP NRC
Full survey for herps	Wildlife	Moderate	UDWR
Plant milkweed species within wet meadows to create habitat for the Monarch butterfly	Wildlife	Low	WP NRC
Post interpretive signage around the park	Vegetation, Wildlife	High	City staff

Action Items	Area	Priority	Suggested Contact
Instigate an annual vegetation monitoring program to quantitatively assess livestock grazing intensity to assure Conservation Values are being preserved	Vegetation, Wildlife	Low	WP NRC
Instigate a program to provide habitat and larval hosts for the Monarch butterfly by planting native species of milkweed (<i>Asclepias incarnata</i>) in the wet fresh meadows	Vegetation, Wildlife	Medium	WP NRC

Additional details for recommended Action Items listed above:

- ❑ The local **Audubon Society** chapters often have high quality birders that are willing and able to do regular surveys and monitoring for birds. Audubon is often able to recognize courting and nesting behavior for the different species of birds found at the Park. This information would be most useful in effectively managing the property for the birds that are using it or would use it.
- ❑ Control of the **feral cat population** is imperative to allow birds and small mammals a higher chance of survival, and thus use and reproduction at the Park
- ❑ A **survey for small mammals** would yield information regarding the types and numbers of this class of wildlife using the Park, and thus the potential to support raptors. This action in tandem with a feral cat control program would most likely show a sharp increase of wildlife use over time.
- ❑ A **survey for herptofauna** would inform whether there is potential habitat for the sensitive northern leopard frog and/or what other species may be present at the Park
- ❑ **Keeping a log of visitor number and intention** will aid the City in caring for the resources at the park as they will know where to focus on resource maintenance and possible future development.
- ❑ **Interpretive signs around the Park** can educate visitors about the natural history of the Park to protect the environment and provide a fuller visitor experience.
- ❑ **Maintaining numbers and types of livestock** will not only aid in assuring Conservation Easement and Zoning regulations are being met, but when paired with a vegetation and utilization monitoring program will also inform maintenance and management of the pastures into the future
- ❑ Installing **raptor perches** in the southern pastures will encourage more raptor use and hunting of those upland meadows. This also may help keep the feral cat population down.
- ❑ Recent studies have shown that the **Monarch butterfly** is losing habitat at an alarming rate. Many populations of milkweed plants have been removed by farms throughout the United States. It would be possible to re-introduce swamp milkweed to some areas in the park to provide beautiful wildflowers and provide valuable reproductive habitat for the Monarch butterfly.

Prioritized Plans and Inventories

Resource Management Plans and Inventories (to be completed within 5 years)	Area	Priority	Suggested Contact
<u>Devise a comprehensive Weed Management Plan</u> that includes a computerized weed control database. Set up a simple way to assure all weed control efforts are recorded with all the necessary information such as target species, date, applicator's name, herbicide name and rate.	Vegetation, Wildlife	High	Brandon Hunt, Davis County
<u>Develop a written protocol for communication with Livestock lessees</u> to know the number, type and length of time in each pasture of livestock on the Park	Vegetation, Wildlife	High	City Staff
<u>Develop a written protocol for regular Conservation Easement monitoring</u> to assure potential violators are notified	All	High	City Staff, trail volunteers
<u>Develop a revegetation plan.</u> Revegetation helps to encourage higher proportion of the Park to be dominated by native species, thus better habitat for wildlife.	Vegetation, Wildlife, Soils, Water	Medium	WP NRC
<u>Develop a plan for cooperative management</u> Seek to identify and preserve important habitat and movement corridors associated with the Park in cooperation with neighboring land owners/managers.	Wildlife, Vegetation	High	Farmington Bay WMA, Community leaders

Additional details for recommended Plans and Inventories listed above:

- ❑ **A detailed noxious weed management plan** would assist in improving wildlife habitat, while understanding which weeds should be the highest priorities as well as keeping track of methods used will inform more efficient weed control going forward.
- ❑ Relevant private landowners, the Farmington Bay WMA and other interested organizations and citizens could all be **potential partners** in the development of a comprehensive plan to preserve wildlife habitat and movement corridors within and adjacent to the Park.
- ❑ Revegetation plan should include tips on re-using good topsoil, seeding techniques, mulching techniques to assure successful revegetation before weeds move in.

Ecological Sensitivity Zones

More specific delineation of wildlife and waterfowl refuge areas at the Park can help define the vulnerability of each area to changes in land use, Park use and/or management. The demarcation of these zones can provide useful information for planning processes for the park. The procedure of delineating sensitivity zones requires consideration of both biotic and abiotic characteristics of the landscape. These characteristics help determine the susceptibility of an area to possible changes to individual attributes of an ecosystem. The following list outlines attributes that were considered in the delineation of these zones, and the necessary scrutiny associated with each attribute:

- ✓ Wildlife- presence, patterns of use, corridors and possible breeding areas
 - Are there rare or sensitive species present?
 - Are there areas within or adjacent to the park mapped by UDWR or Farmington Bay WMA as important habitat?
 - Does the park have areas that provide essential or critical habitats?
- ✓ Acreage and surrounding areas
 - Is there large, high quality contiguous wildlife and vegetation habitat within and around the park?
 - What is the condition and land use surrounding the park?
- ✓ Vegetation community type and condition
 - Are there sensitive species present?
 - What vegetation community types are there?
 - How much of the vegetation is native?
 - What is the condition of the vegetation?
- ✓ Park setting and how it relates to recreational function and potential use
 - Are there areas of the park that would be more suitable to different permitted uses, or areas that would add cost and long-term management issues?

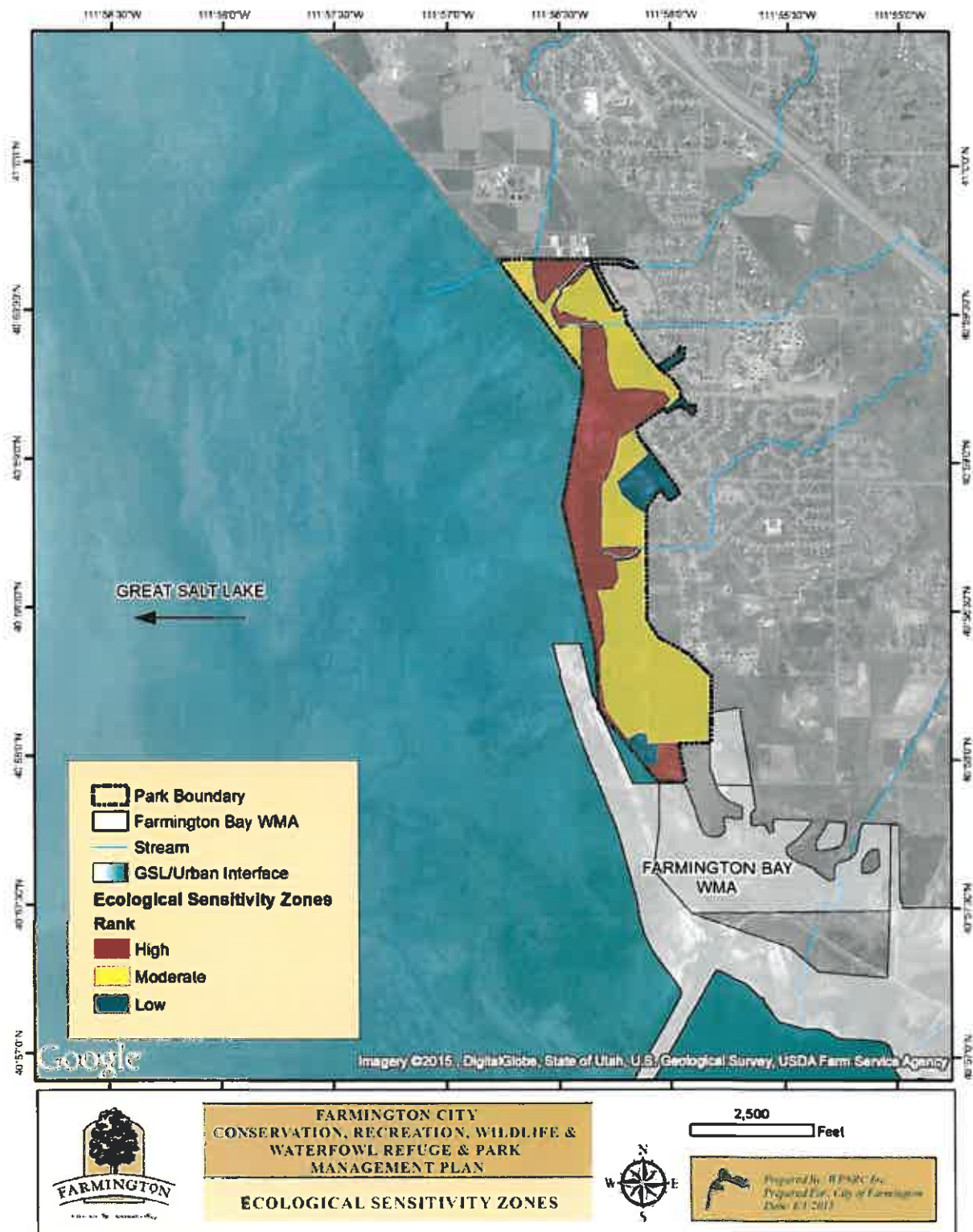
For example, the **High Sensitivity Zones** may include habitat for rare or sensitive bird species, incorporate an area known to be used for wildlife reproduction activities, and/or encompass intact areas of important wildlife habitat (nesting habitat or migratory routes). It could also have native vegetation that could be easily impacted or soils or geology that make it susceptible to increased flooding or limited drainage. These areas are likely to be highly sensitive to disturbance to wildlife.

The **Moderate Sensitivity Zones** would generally encompass areas that are less ecologically vulnerable, but still have high scenic and ecological values. These may have intact vegetation in good condition, but not as large and contiguous habitat for wildlife. It may provide corridors for wildlife, but not critical migratory or other critical habitat.

The **Low Sensitivity Zones** are generally areas that are not habitat for sensitive species, have vegetation in fair to poor condition and/or is primarily non-native vegetation (weeds or non-native turf grass), and/or has hydro-physical conditions that make it less sensitive (such as soils that are not subject to excessive ponding or flooding, no threats to water quality, etc.).

Figure 37 shows proposed sensitivity zones to allow the highest use of the Park as a wildlife and waterfowl refuge

Figure 37. Ecological Sensitivity Zones



Disclaimer:
This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. The maps are distributed "AS-IS" without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability to a particular purpose or use.

- The **high sensitivity** zones are generally those areas closest to the Great Salt Lake and adjacent to the Farmington Bay WMA. Some of the high ecological sensitivity zone surrounds Haight and Shepard Creeks as these waterways have high potential for successful habitat restoration and/or enhancement. Much of these areas also have a variety of good condition wetland habitats (e.g. emergent marsh, wet meadow, playa, etc)
- The **moderate sensitivity** zones are chiefly the upland meadows as well as the non-native emergent marsh on the west side of the park. The non-native emergent marsh is a great candidate for targeted grazing to reduce the density of the common reed to create more effective habitat for the wildlife and waterfowl of the area (as is currently being done at the Farmington Bay WMA). The upland meadows can be strategically managed so as to allow rotational grazing to allow some pastures to rest while providing more effective hunting grounds for raptors. Raptor perches could also be installed in the south central pastures to encourage more raptor use.
- The **low sensitivity** zones are the structures within the Park. As these areas are already developed, future Park needs could be accommodated in these areas. Small low sensitivity areas are located directly adjacent to housing developments as the human activity in these areas would exclude much wildlife or waterfowl use.

Best Management Practices

Best management practices (BMPs) are proactive management techniques that limit impacts to resources. Park staff, contractors, and volunteers should utilize these techniques to limit or prevent negative impacts to resources. Included in the appendix is a comprehensive list of general BMPs from numerous agencies that are suggested guidelines for future park operations.

The ecological sensitivity zones discussed in the previous section outline the biological/ecological rationales for designating certain areas of the park in high, medium or low sensitivity zones. The demarcation of these zones should occur when more information is known regarding Park visitorship, wildlife use in terms of timing and extent, and consensus on Park development and objectives. The Park's-specific ecological sensitivity zones may be modified as the conditions around or within the park change, but these recommendations are intended to protect habitat for the long-term. Future land use changes that may involve the modification of sensitive areas should be considered based on their potential impact on the resources.

Chapter 6 - Resource Monitoring

Resource monitoring will be the most efficient and useful method for evaluating the potential changes occurring to the natural resources present. Effective monitoring applications provide a qualitative and quantifiable approach to the improvement or degradation in wildlife and waterfowl density and distribution, plant community health, as well as trail sustainability and soil protection. The suggested approach for creating a monitoring protocol would be:

1. **To establish baseline monitoring points and an initial round of comprehensive data (performed by the City Staff or other qualified organization)**
2. **Conduct routine monitoring with the coordination of City staff throughout the year and/or annually**
3. **Follow up with a full monitoring effort in 5 years or sooner as needed or as Park use changes**

The following tables are provided to assist in identifying particular issues to monitor within each specific resource.

Vegetation Monitoring

Monitoring Actions	Priority	Suggested contact
<u>Vegetation community monitoring</u> – Vegetation plot locations should be established to track changes in health and diversity of plant communities in the park, particularly in or around areas that will be treated for noxious weeds. Subsequent monitoring could fall to the City staff or possibly volunteers.	High	WP NRC
<u>Monitor weed populations-</u> Track weed patch size and distribution with photo monitoring and incorporate into GIS. Volunteers may be utilized to assist City staff in this effort. Put all information regarding control efforts into a database including date sprayed, name and rate of herbicide used and target species	High	Brandon Hunt – Davis County Weed Supervisor

Wildlife Monitoring

Monitoring Actions	Best time to conduct	Priority	Suggested contact
<u>Monitor bird use</u> – Each month of the year, Audubon volunteers (or Great Salt Lake Birders) could likely be available to walk the trails and do point counts for birds	Feb 1 – May 15	High	Local Audubon Society Chapter
<u>Monitor amphibian populations</u> - This can easily be done by conducting evening surveys when frogs are calling. Presence, absence and trends in populations should be recorded.	Early May	Med	Park Staff, UDWR
<u>Breeding Bird Surveys</u> - The local Audubon Society Chapter can assist with conducting breeding bird surveys.	Spring	High	Audubon Society.

Geophysical Monitoring

Monitoring Actions	Priority	Suggested contact
<u>Monitor surface water drainage</u> -Try to determine a general relationship between storm intensity and flooding as well as sedimentation and debris collection.	Med	Davis County

Chapter 7 - Conclusion

The emphasis of this plan is to provide information and data in balancing the needs of the natural resources present with the current and future needs of Farmington's residents and local visitors.

The Farmington City Conservation, Recreation, Wildlife and Waterfowl Refuge and Park is a unique area with ability to continue to harbor valuable habitat for both plants, wildlife and waterfowl, while affording a true nature experience to visitors. Any future development and/or use of the Park should pay close attention to proposed ecological sensitivity zones, as these zones will take into account the Conservation Values as outlined in the conservation easements with consideration given to present and future visitorship and use of the Park.

High quality habitat along the Great Salt Lake is worth both protecting and improving as witnessed by the numerous wildlife and waterfowl conservation areas around the shores of the Great Salt Lake. Protecting and enhancing these areas to a high quality condition can provide for a financial, ecological, and recreational experience for the residents and visitors of the City of Farmington. A thriving city exists less than 2 miles from an amazing recreational and wildlife viewing opportunity. As the urban interface expands, wildlife viewing and outdoor recreational opportunities will only become more valuable.

Successful stewardship requires an ongoing commitment to resource management. Investments in staff resources and funding for management planning are necessary if the stewardship and management recommendations are to be executed. Proper stewardship of the Park's natural resources will require a cooperative effort between City staff, The Utah DWR, scientists, Park visitors and volunteers, and surrounding landowners.

This Management Plan is expected to remain current for five years. After five years have elapsed, the plan should be updated to reflect changes that have taken place in the condition of the resources. A major monitoring effort should already be in effect as part of the update process. The *Resource Element Descriptions* should be revisited and the condition statements updated. *Resource Trajectories* should be analyzed to determine if the park resources are declining or responding favorably to management activities. This five-year plan update is critical to the effectiveness of resource stewardship.

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CITY COUNCIL AGENDA

For Council Meeting:
April 19, 2016

S U B J E C T: Minute Motion Approving Summary Action List

1. License Agreements: Wood and Anderson
2. Arbor Day Proclamation
3. Approval of Minutes from March 15, 2016
4. Meadow View Phase II Improvements Agreement
5. Farmington Park Phase III Final Plat
6. Meadows at City Park Phase II Final PUD Master Plan

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: David E. Petersen, Community Development Director

Date: April 19, 2016

SUBJECT: **LICENSE AGREEMENTS: WOOD AND ANDERSON**

RECOMMENDATION

Approve the enclosed license agreements enabling: 1) Scott G. and Leanne Wood to install a fence within North Compton Road as requested; and 2) Rex and Chaya Anderson to install a fence across a trail easement at 1362 North 1580 West.

BACKGROUND

Wood. The Wood's own property at 224 West 1100 North and are in the process of installing a swimming pool. As per ordinance, the outdoor pool, which is adjacent to North Compton Road, must be enclosed by a fence at least 6 feet in height. The west side of the road near the pool site is characterized by steep slopes and it may make sense to place the fence at the crest of the road for now (see enclosed request).

The City Council must decide whether or not the fence is best placed behind at the curb and gutter at this location, or down the slope closer to the pool.

Anderson. A trail easement exists on the south side of the Anderson property. Pursuant to previous discussions, the Council conceptually voted not to vacate the easement but allow the Anderson's to place a fence across it by agreement.

Respectively Submitted

David Petersen
Community Development Director

Review and Concur

Dave Millheim
City Manager



WHEN RECORDED RETURN TO:

Farmington City
Attn: Zoning Administrator
160 S Main St
Farmington, UT 84025

Affects Parcel No. 080520124

LICENSE AND PERMIT

THIS PERMIT is made and entered into as of the ____ day of _____, 2016, by and between **FARMINGTON CITY**, a Utah municipal corporation, hereinafter referred to as the "City," and Scott G. & Leanne Wood, hereinafter referred to as "Permittee."

RECITALS:

WHEREAS, City is the holder of a public right-of-way (the "Right-of-way") along the perimeter of Permittee's property which is located at 224 West North Compton Road; and

WHEREAS, Permittee is desirous of obtaining a permit from the City for using part of the said Right-of-way for a fence ("Facilities") on the Right-of-way; and

WHEREAS, City is willing to grant a permit for such use;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. For the sum of One Hundred Dollars (\$100.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, City hereby grants permission and license to Permittee to install and maintain Facilities within the Right-of-way shown in Exhibit "A," attached hereto and by this reference made a part hereof. Said Right-of-way is located in Davis County, State of Utah, and this permit is SUBJECT TO the following additional conditions:

2. Prior to any installation, the Permittee's plans, specifications and timetable for installation of said Facilities shall be submitted to and must be approved by the City's Community Development Director before any work thereon may commence. Permittee will make any changes in such plans, specifications or timetable as and when requested by the City. The Facilities shall be constructed and maintained strictly in accordance with the approved plan and specifications.

3. Permittee agrees not to erect any other structure other than said Facilities or make any other improvements on the said Right-of-way. Permittee agrees to perform all such installation pursuant to all applicable federal laws or regulations, City ordinances and state law. Installation and maintenance of the Facilities on the Right-of-way shall be at Permittee's sole expense.

4. Permittee will, at Permittee's sole expense, and within the time and when requested in writing by the City, remove, replace or alter the Facilities installed by Permittee on the Right-of-way.

5. Permittee agrees that at all times this Permit shall be subject to any use of the Premises the City may desire within the scope of the granted right-of-way, and City shall not be liable to Permittee for any loss of use or damage to Permittee's Facilities resulting from such use.

6. Permittee agrees, upon written notice from the City, to repair any damage caused to the Right-of-way as a result of Permittee's or his/her/its agents or successor's use of this permit.

7. This License and Permit is subject to revocation by the City for any reason and at any time upon the expiration of thirty (30) days prior written notice sent to Permittee at the Permittee's above-stated address. Upon receipt of such notice, Permittee shall remove the Facilities from the Right-of-way, restoring the surface of the Right-of-way as near as possible to its condition prior to the date hereof.

8. Permittee agrees to indemnify, hold harmless and defend the City, its agents and employees, from and against all claims, mechanics liens, demands, damages, actions, costs and charges, for personal injury or property damage and other liabilities, including attorneys' fees, arising out of or by any reason of Permittee's use of said Right-of-way or any activities conducted thereon by Permittee, or his/her/its agents, employees, invitees or trespassers.

9. Any ambiguity in this License and Permit shall be construed in favor of the City.

10. This License and Permit embodies the entire agreement between the parties and it cannot be changed except through a written instrument signed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first above written.

"CITY"

FARMINGTON CITY

ATTEST:

City Recorder

By: _____
Mayor

"PERMITTEE"

Scott G. Wood

Leanne Wood

CITY ACKNOWLEDGMENT

STATE OF UTAH)
 :SS.
COUNTY OF DAVIS)

On the ____ day of _____, 2016, personally appeared before me H. James Talbot, who being duly sworn, did say that he is the Mayor of **FARMINGTON CITY**, a municipal corporation of the State of Utah, and that the foregoing instrument was signed in behalf of the City by authority of its governing body and said _____ acknowledged to me that the City executed the same.

Seal:

Notary Public
Residing at:

PERMITTEE ACKNOWLEDGMENT

STATE OF UTAH)
 :SS.
COUNTY OF DAVIS)

On the ____ day of _____, 2016, personally appeared before me Scott G Wood and Leanne Wood who being duly sworn, did say that (s)he is the signer of the foregoing instrument, who duly acknowledged to me that (s)he executed the same.

Seal:

Notary Public
Residing at:



Application No. _____
(For City Use Only)

**VARIANCE APPLICATION
TO THE ZONING ADMINISTRATOR**

Application for property located at : 224 West 1100 North Farmington, Utah 84025

Date : 3/29/16 Current zone: _____

Property Owner: Scott G Wood Phone No.: 801-390-9478

(Current property owner must sign application)
Email: scott@insur-west.com Fax: 801-451-8318 Cell No. 801-390-9478

Mailing Address : 224 West 1100 North Farmington, Utah Zip Code: 84025

Developer/Agent: self Phone No.: _____

Email: _____ Fax: _____ Cell No. _____

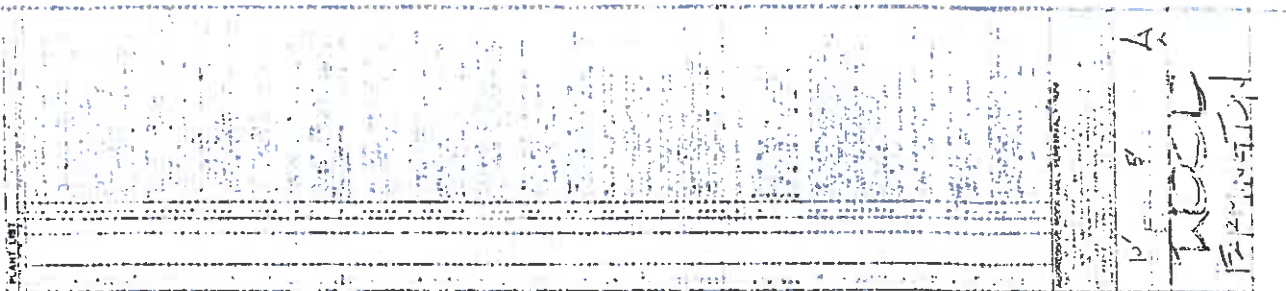
Mailing Address: _____ Zip Code: _____

**LEGAL DESCRIPTION OF THE SUBJECT PROPERTY AND AFFIDAVIT OF
PROPERTY OWNERSHIP MUST BE ATTACHED**

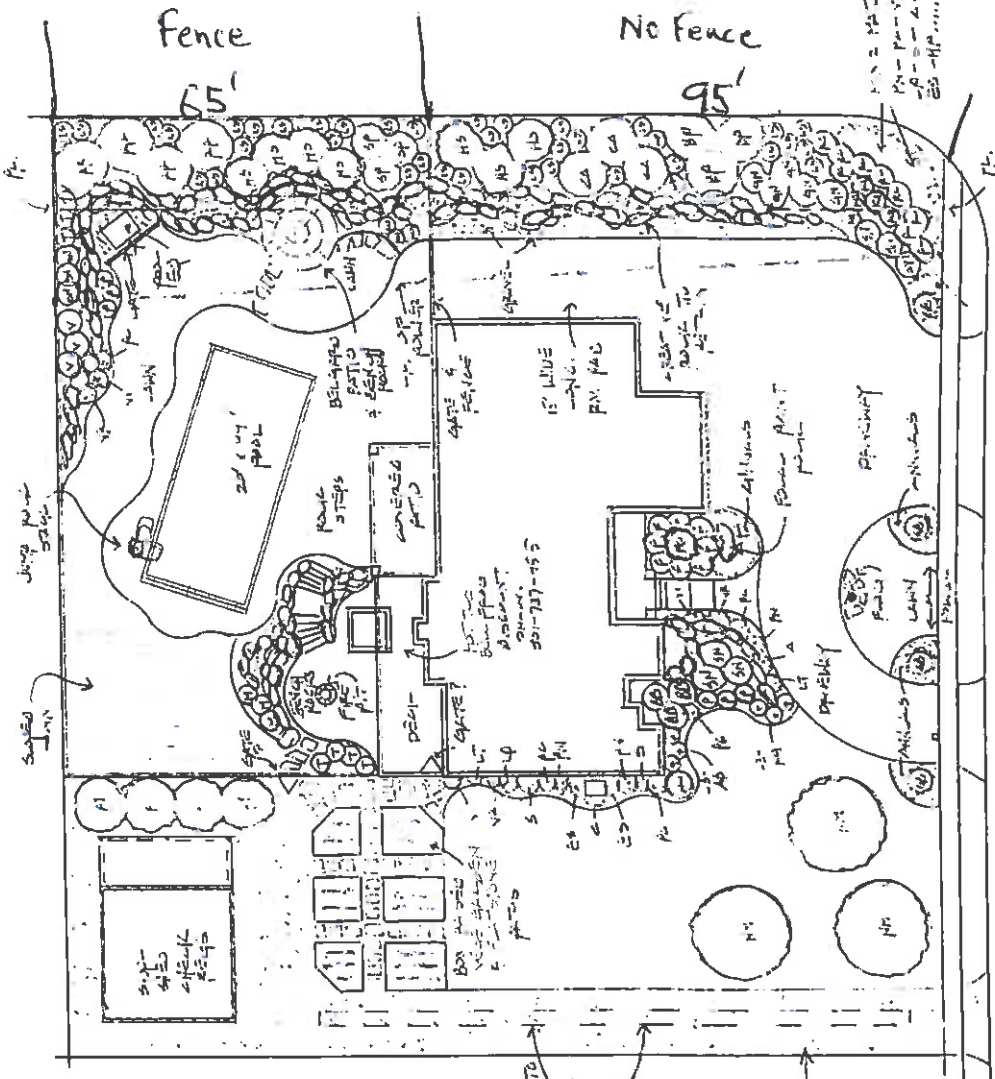
Please provide a brief description of the variance requested. If necessary, a separate sheet may be attached.

* We are needing to put a fence around our swimming pool in our back yard. The East side of the property is on a steep Hill with no side walk. We are asking for approval to run the fence for 65 ft from the NorthEast Corner South next to the curb. We will also be Landscaping the Hill to retain it. Remaining 95 Ft which runs to the front of the property or South we would keep open to the Public for the sake of safety and the merger of N Compton Rd & 1100 North turning right. We will be Landscaping and retaining the Hill the whole 160 Ft frontage on the East side. We have eliminated two very large Cottonwood trees which have certainly made the location more beautiful.

Please refer to Chapter 5 of the Farmington City Zoning Ordinance for further information.



North Compton Rd East side of Property



1100 North

GENERAL NOTES

TOPICAL NOTES

HYDROLOGICAL MATCH FOR LAWS ON WATERFLOW

BOO NOTES

REGULATION NOTES

ROCK WALL / RETAINING WALL NOTES

LOADING NOTES

WARRANTY NOTES

WATER FILL NOTES

END PROJECT

CONSTRUCTION NOTES

BOI 751-9244
CALIFORNIA
JULY 1994



BRONCO FENCE COMPANY
267 N 650 W
Kaysville, UT 84037
801-544-4941

ESTIMATE

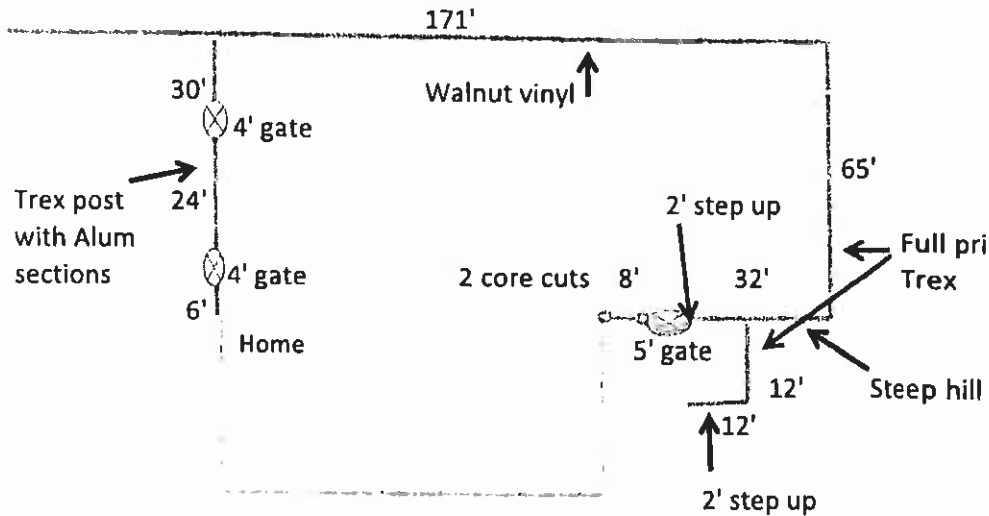
BID FOR: NAME: Scott Wood
ADDRESS: 224 west 1100 north
Farmington Utah
PHONE: 801-390-9478
EMAIL: scott@insur-west.com

BID DATE: March 28, 2016

Representative: Bret Barnett 801-821-9000

Layout: Trex Woodland Brown 6' high pri and Black 6' high Alum-Guard with trex post & Dark Walnut Vinyl 6' high

Comments:



QTY	DESCRIPTION
129'	Trex 6' high full pri
1	5' gate steel tube frame, stainless steel hardware -Trex full pri
2	12' post and caps Trex
60'	Alumi-Guard 6' high with Brackets 10 sections
13	Trex post and caps
2	4' Alum gates with self closing hardware and arched
171'	Dark Walnut vinyl 6' high, post 6' on center

ANY AND ALL CHANGES TO THIS AGREEMENT THAT INVOLVE ADDITIONAL COSTS WILL BE CHARGED OVER AND ABOVE THE AMOUNT HEREIN STIPULATED

BUYER GRANTS SELLER A SECURITY INTEREST IN EACH ITEM DESCRIBED IN THE EVENT OF NONPAYMENT

BUYER AGREES TO PAY A RESTOCKING FEE OF 25% IF ORDER CANCELS AFTER DELIVERY

50% DOWN PAYMENT REQUIRED & 50% DUE UPON COMPLETION

[SIGNATURE]

[DATE]







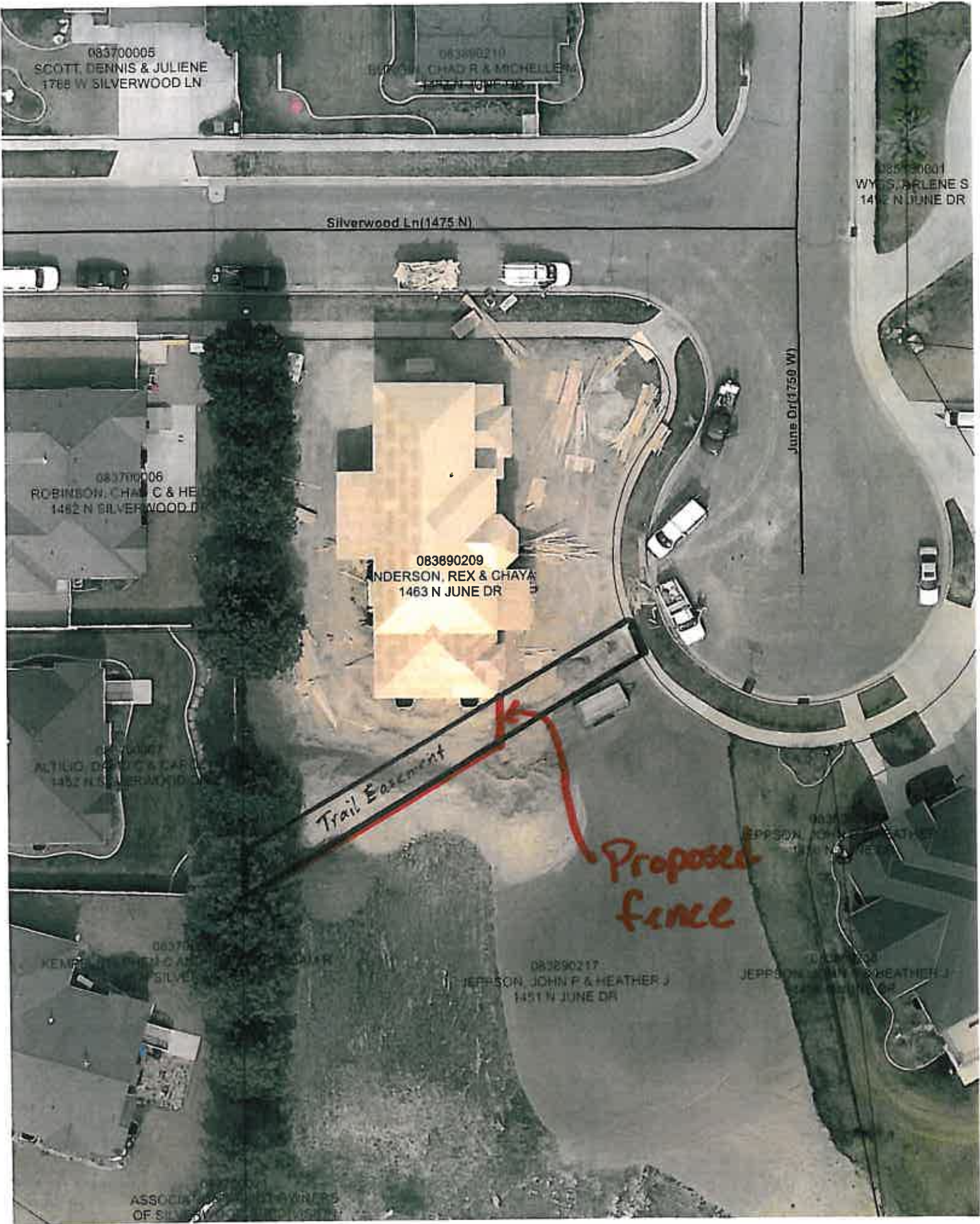












083700005
SCOTT, DENNIS & JULIENE
1768 W SILVERWOOD LN

083890210
ANDERSON, REX & GHAYA
1463 N JUNE DR

083700001
WYATT, ARLENE S
1412 N JUNE DR

Silverwood Ln(1475 N)

June Dr(1750 W)

083700006
ROBINSON, CHAD C & HE
1462 N SILVERWOOD DR

083890209
ANDERSON, REX & GHAYA
1463 N JUNE DR

083700007
ALFARO, DAVID C & CAR
1452 N SILVERWOOD DR

Trail Easement

Proposed
fence

083700008
KEMP, JOHN C & SARAH
1451 N SILVERWOOD DR

083890217
JEFFSON, JOHN F & HEATHER J
1451 N JUNE DR

083700009
JEFFSON, JOHN F & HEATHER J
1452 N JUNE DR

ASSOCIATION OF SILVERWOOD HOMEOWNERS

WHEN RECORDED RETURN TO:

Farmington City
Attn: Zoning Administrator
160 S Main St
Farmington, UT 84025

Affects Parcel No. 083890209

LICENSE AND PERMIT

THIS PERMIT is made and entered into as of the ____ day of _____, 2016, by and between **FARMINGTON CITY**, a Utah municipal corporation, hereinafter referred to as the "City," and Rex & Chaya Anderson, hereinafter referred to as "Permittee."

RECITALS:

WHEREAS, City is the holder of a 10' public trail easement and a 10' public utility & drainage easement (the "Premises") along the south boundary of Permittee's property which is located at 1463 North June Drive; and is further identified as Lot 209 of the Silverwood Subdivision Phase 2 as described on the official plat of said subdivision in the office of the Davis County Recorder; and

WHEREAS, Permittee is desirous of obtaining a permit from the City for using part of the said Premises for a fence ("Facilities") on the Premises; and

WHEREAS, City is willing to grant a permit for such use;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. For the sum of One Hundred Dollars (\$100.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, City hereby grants permission and license to Permittee to install and maintain Facilities within the Premises shown and described in Exhibit "A," attached hereto and by this reference made a part hereof. Said Premises is located in Davis County, State of Utah, and this permit is SUBJECT TO the following additional conditions:

2. Prior to any installation, the Permittee's plans, specifications and timetable for installation of said facilities shall be submitted to and must be approved by the City's Community Development Director before any work thereon may commence. Permittee will make any changes in such plans, specifications or timetable as and when requested by the City. The Facilities shall be constructed and maintained strictly in accordance with the approved plan and specifications.

3. Permittee agrees not to erect any other structure other than said Facilities or make any other improvements on the said Premises. Permittee agrees to perform all such installation pursuant to all applicable federal laws or regulations, City ordinances and state law. Installation and maintenance of the Facilities on the Premises shall be at Permittee's sole expense.

4. Permittee will, at Permittee's sole expense, and within the time and when requested in writing by the City, remove, replace or alter the Facilities installed by Permittee on the Premises.

5. Permittee agrees that at all times this Utility Permit shall be subject to any use of the Premises the City may desire within the scope of the granted easement, and City shall not be liable to Permittee for any loss of use or damage to Permittee's Facilities resulting from such use.

6. Permittee agrees, upon written notice from the City, to repair any damage caused to the Premises as a result of Permittee's or his/her/its agents or successor's use of this permit.

7. This License and Permit is subject to revocation by the City for any reason and at any time upon the expiration of thirty (30) days prior written notice sent to Permittee at the Permittee's above-stated address. Upon receipt of such notice, Permittee shall remove the Facilities from the Premises, restoring the surface of the Premises as near as possible to its condition prior to the date hereof.

8. Permittee agrees to indemnify, hold harmless and defend the City, its agents and employees, from and against all claims, mechanics liens, demands, damages, actions, costs and charges, for personal injury or property damage and other liabilities, including attorneys' fees, arising out of or by any reason of Permittee's use of said Premises or any activities conducted thereon by Permittee, or his/her/its agents, employees, invitees or trespassers.

9. Any ambiguity in this License and Permit shall be construed in favor of the City.

10. This License and Permit embodies the entire agreement between the parties and it cannot be changed except through a written instrument signed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first above written.

"CITY"

FARMINGTON CITY

ATTEST:

City Recorder

By: _____
Mayor

"PERMITTEE"

Rex Anderson

Chaya Anderson

CITY ACKNOWLEDGMENT

STATE OF UTAH)
 :SS.
COUNTY OF DAVIS)

On the ____ day of _____, 2016, personally appeared before me H. James Talbot, who being duly sworn, did say that he is the Mayor of **FARMINGTON CITY**, a municipal corporation of the State of Utah, and that the foregoing instrument was signed in behalf of the City by authority of its governing body and said _____ acknowledged to me that the City executed the same.

Seal:

Notary Public
Residing at:

PERMITTEE ACKNOWLEDGMENT

STATE OF UTAH)
 :SS.
COUNTY OF DAVIS)

On the ____ day of _____, 2014, personally appeared before me Rex Anderson and Chaya Anderson who being duly sworn, did say that (s)he is the signer of the foregoing instrument, who duly acknowledged to me that (s)he executed the same.

Seal:

Notary Public
Residing at:

EXHIBIT A

Arbor Day Proclamation

WHEREAS, In 1872 J. Sterling proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, emit oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other products, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal,

Now, Therefore, I, H. James Talbot, Mayor of Farmington City, do hereby proclaim April 2, 2016 as

Arbor Day

In the city of Farmington, I urge all citizens to support efforts to protect our trees and woodlands and to support our city's urban forestry program, and

Further, I urge all citizens to plant trees to gladden hearts and promote the well-being of present and future generations.

Dated this 19th day of March 2016

H. James Talbot
Mayor

FARMINGTON CITY COUNCIL MEETING

March 15, 2016

WORK SESSION

Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Brigham Mellor, Cory Ritz and Brett Anderson, City Manager Dave Millheim, City Development Director David Petersen, Associate City Planner Eric Anderson, Parks and Recreation director Neil Miller, City Recorder Holly Gadd and Recording Secretary Melanie Monson.

Park Financing Plan

Dave Millheim reminded the Council that Keith Johnson presented information regarding the City's 10 year financial plan during the previous meeting. He said last week's packet included the proposal for financing the remainder of the City Park. He stated that he did not like the proposal and thought it needed more work. He said staff is meeting weekly, and they have been able to set aside money from this year's budget to help with the park. He said during their discussions, they had a paradigm shift regarding the budget. They are still working out the SAA, how to leverage the extension agreements, and are working on obtaining bids for the remainder of the park's features. He said they will come back in the coming months with a specific proposal and budget. He said for the original \$10 million, the City is getting the Gymnasium, parking lot, leveling, and infrastructure etc. He said with the remaining \$1.6 million, the City is confident it can get the restrooms, sidewalks, the trail and grass areas. The detailed plan will include their proposal for the remainder of the park, including the baseball fields, etc. He said that if they transfer \$275,000 from the General Fund this year to help pay for park improvements, there will still be a fund balance of \$1.6 million, which is 18% of the General Fund.

Referring to the work session packet, he stated that Dave Petersen has tracked all of the City's extension agreements along 650 West, portions of Glover's Lane, and in front of the Park. He said while these agreements will only pay for a portion of the curb, gutter, sidewalk and asphalt, the money from those extension agreements will be significant. He said bringing an SAA forward (to assess the property owners for a portion of the improvements along 650 West) will require political courage from the Council. While many of the property owners within the proposed SAA have extension agreements, there are some that do not, but who would be included in the SAA. The extension agreements for the portion of 650 West the City is currently finishing will be acted on now, so those properties will not be included in the SAA.

He said when the City calls out an extension agreement, the City fronts the money for the improvement and then sends the property owner an invoice. Property owners have 90 days to pay in full or the City can place a lien on their property. The extension agreement travels with the land and is proportional to their frontage. The City could theoretically pay for the improvements out of the General Fund and waive the extension agreements; in this case the whole City ends up paying for that expense. **Brigham Mellor** asked if the property owners know that the extension agreements exist, and **Dave Millheim** answered that they do. **Brigham Mellor** asked if property owners can protest extension agreements (like they can an SAA), and **Dave Millheim** said that they cannot, because it is tied to the property. **Brigham**

Mellor asked how much the extension agreements will cost the property owners. **Dave Petersen** said about \$14,000 for a 100 foot frontage. **Dave Millheim** said it is based on the actual cost of the improvements along their frontage. He said if the Council decides to implement an SAA, they need the support of 51% of the affected property owners, with the vote being based on the value of the assessment. He believes the property owners will support an SAA. When the City call the assessment, it requires full payment within 90 days or the City places a lien on the property. As part of the SAA, they will have the option to finance the assessment over 10 years as opposed to having to pay it all in one lump sum. The City has to go to each property owner and inform them of their assessment and ask if they want to protest. If they do protest the City can then call for that property owner's extension agreement to be paid in full. He said their amount due is added on to their property taxes and if it is not paid within 5 years, the City owns the property. Twenty-three property owners along 650 West have extension agreements. **Dave Petersen** said 55% of property owners have some sort of extension agreement in place, and 45% do not. **Dave Millheim** said some property owners may wonder why they have to pay when the use and impact is being caused by the City and School District. He reminded the Council that the City is paying for a large portion of it due to the extra arterial portion of the road. The School District is also paying their freight. The City needs the support of the property owners because if 51% of the assessed valuations protest it, then it goes away. He said staff has looked at the possibility of expanding the SAA, but that jeopardizes the reality of the SAA passing. He said staff will come back before the Council in a future work session with the detailed costs of finishing 650 West and the Park; the purpose of tonight's discussion was to inform the Council ahead of time regarding the costs of the park and of finishing the road in order for them to make a decision regarding the SAA.

Mayor Talbot said extension agreements show up in the title report, so homeowners should be aware of them. When they started looking at all the development on the West side of Farmington, making 650 West safe was a priority. He feels like if the City could finish 650 West at least up to the park, it would support the additional traffic coming to the gymnasium. He would support taking \$275,000 from the General Fund in order to help the projects be completed and be able to move forward down the street. He does not want to see the General Fund get too low, but we are in a unique situation right now having extra money in the General Fund; spending some of that money to finish this project would not jeopardize the fund balance. **Dave Millheim** said the bond passed by a very close margin (25 votes), and there was a tight budget to begin with. The City considered finishing the road first, before the gym and park; however they decided to complete the gym and park first in order to follow through with what the residents were rightly anticipating. However, the road is still very necessary and is a priority. **Mayor Talbot** said he does not want to finish just a 2-plex, but wants to finish the whole 4-plex of baseball fields. He said the park completion will be seamless and citizens will be able to enjoy the park while they finish the ball diamonds. **John Bilton** wondered how the City could get away without doing an SAA, with only 55% of property owners in the vicinity having extension agreements. **Dave Millheim** said the Council can call on the extension agreements, raise property taxes, or rob the fund balance and put all other projects on hold in order to complete the road. **John Bilton** asked if the SAA trumps extension agreements, and **Dave Petersen** said no, it is the other way around. **Dave Millheim** described the process of calling on extension agreements, the protest periods, etc. **Cory Ritz** said he thinks most of the property owners see this coming. He said he has had conversations with several people to that effect. He said he has told people the City cannot wait until it is necessary to finish it. He said he had a phone call from a parent who was concerned about how their child will get to the new elementary school when there are no bus routes. **Dave Millheim**

said the Council passed sidewalk priorities when Cory was gone. He said when staff brings back the detailed budget proposal for the park and road improvements, they will also bring information and bids for completing the sidewalk priorities. **Brigham Mellor** said if a property owner protests the SAA, and are therefore not part of the SAA, the City will have a lien on their property, but then the City will not have the money until the property owner sells the property. He said that is a liability on our project. **Dave Millheim** said the City is fronting the money. They are trying to complete this project during the current construction cycle. The City will be on the hook for the assessments, but the bond is carrying the freight. Once the Council has formed the SAA and gone through the protest hearings, they will adopt a SAA with assessments to be paid over the next 10 years. Once that is formed, the City can bond against the General Fund and the City will act as a pass through for the SAA. **Brigham Mellor** asked if there is an administration fee assessed in order to provide some cushion in the event that not everyone pays their property taxes/assessment. **Dave Millheim** answered that the bond will assess for full payment and the City has to plan for full payment. **Dave Millheim** said he recommends that the Council approve this budget, in which case staff will call the first 3 extension agreements. He said it sends a strong signal to the community that the City is serious about completing 650 West. **Cory Ritz** opined that if staff explains it well, it should be a no-brainer for the community to get on board with the SAA. **Dave Petersen** said there are a handful of vacant lots across from the park and gym. He said the City will attempt to include those lots via pioneering agreements, however we do not know if we will get those or not. He said they are also applying for grants to get sidewalks paid for, but will not know until September if we receive them. **Dave Millheim** said an SAA on fast track is 120 days, including several public hearings, etc. The high school opens Fall of 2018, and if the Council decides to move forward with an SAA, the earliest the City could pave is Spring of 2017. Staff would prefer to form the SAA, get the engineering done, and watch the bid market, with the goal of paving in the Spring of 2018. He said if they tear up the road at the same time as the high school is being constructed, it will be an additional impact on the surrounding neighborhood. However, if the City completes the road after the high school is constructed but before it is occupied, it would lessen the impact while still accomplishing what is needed. **Brigham Mellor** said bringing in fill dirt and other supplies damages the road, and waiting as long as possible will ensure they do not damage the new road. **Dave Millheim** said the recommendation of Public Works and himself is to finish the gym, the fields with restrooms, and the roads. He wants the City to be good stewards of the budget. **Doug Anderson** acknowledged the impact on that neighborhood, and he asked for a summary of the payment options. **Dave Millheim** said property owners can pay a lump sum, in which case they are out of the SAA, or if they protest, the City can call their extension agreement, or they can finance it for 10 years over the life of the bond (it would be a line item on their property taxes). **Brigham Mellor** clarified that it is divvied up per capita, and **Dave Millheim** said yes, it is based on linear footage so it is fair and is not based on the value of the house. He said the rationale is that the improvements increase the appraisal value of the homes. **Dave Petersen** said most people pay for their curb and gutter and asphalt when they purchase their homes. **Mayor Talbot** asked if the Council is ok getting \$275,000 out of the General Fund to finish the park with fields, restrooms, pavilion, the gymnasium, and the road in front of the gym. **Dave Millheim** said they will still come back with an actual budget with final bids and dollars if the Council approves this in concept tonight. He said they want to close this out in this year's budget. **Mayor Talbot** said Keith would rather use some of the funds we have to finish the park, because you can bond against the General Fund, and it is much easier to do that for road improvements rather than trying to find money for the park. Everyone gave their thumbs

up to the Phase II park budget presented. **Dave Millheim** thanked Neil Miller and his team for his hard work.

Request for Annexation of 20.2 acres of Property

Mayor Talbot said he has been receiving emails from Cory Crowell from the Compass organization. He felt uncomfortable with the emails because they was no affidavit sent with them indicating their intent to move forward. He followed up with Jerry Preston to make sure he is aware of what is going on. Jerry told him that if this organization can come up with the money, he will sell it to them. However, **Mayor Talbot** said the City still likely needs to bring this property into the City regardless of whether it is purchased by Compass or if Jerry develops it. **Jerry Preston** said Cory Crowell set up the Compass Organization but could not get the tax status to be able to raise money. They approached another organization called Wasatch Canyons Foundation and arranged for them to potentially pay for property, and then have Compass solicit money and pay it back to the Wasatch Canyons Foundation. He said Wasatch Canyons Foundation does not have the funding to purchase it right now, and so they are searching out donors to front the money. He said he has given them a timeline of the end of June. He said he gave them a bottom line price, and asked them for a contract. He said he is going to move forward with his approvals and his process, but is willing to sell it at any point if they come up with the money. **Brigham Mellor** said he does not think the Council can make a land use decision based on who will own the property. **Dave Millheim** said he anticipates people confronting the Council and asking about other possible ways to come up with the money in order to purchase the property, such as borrowing money from the City, or going to a General Property Tax vote, etc. He advised the Council to look at the facts. For the record, he said to Jerry that until he has a contract, he has nothing. He said the Council may need to take 3 steps back, and just look at this as an annexation issue. The Council previously said they did not want to make a decision on annexation until the Planning Commission made a decision on preliminary plat, which they granted on Thursday night. He said the Council's job tonight is to approve or not approve the annexation and zoning designation. **Mayor Talbot** said the Compass Organization has been on the aggressor side of things, writing emails, saying they have financing and the ability to purchase the property. He does not see how that obligates the City to contribute anything toward purchasing the property. Regarding the zoning question, **Dave Petersen** said the default zone is A, and the lot sizes Jerry Preston proposed are allowed in the A zone, but there are other uses allowed in that zone that you probably do not want there (such as accessory buildings, etc). The LR zone is strictly residential. **Brett Anderson** asked why the Planning Commission went with A, and **Eric Anderson** said the Planning Commission was afraid that the difference in densities between A and LR would pose a problem if the plat application goes away. He said the City has the trump card by owning a portion of the needed right-of-way property. **Mayor Talbot** said staff is usually very conservative which makes him comfortable with the LR zone designation. **Dave Petersen** said Jerry did have the borings completed, and very little clay was found. It is not a North Salt Lake situation. He said the soils engineers used words like "adequate" to indicate that the soil is fine. **Mayor Talbot** asked if any of the Council had a problem with the annexation. **Brigham Mellor** said he does not have a problem with annexation, and he is comfortable with the developer because the City has worked with him numerous times before. He said he was more concerned when he saw the property lines extending beyond the fire break road, and now the lines have extended back. His concerns were for safety and not aesthetics. **Eric Anderson** said Todd Godfrey said he thinks this is a low risk to the City.

Mayor Talbot reminded the Council that this item will not be a public hearing. **Brigham Mellor** said he does not particularly have a problem with the emails coming in, and reiterated that it is not fair for the City to make a decision on a land use based on who could potentially purchase the property down the road. **Doug Anderson** agreed and said it would be a good point for Brigham to make during the meeting. He said he was also concerned about the safety issues and said Jerry has done his due diligence, several times over. **Brigham Mellor** acknowledged that there is a risk to the residents of rocks rolling down onto other properties; however he feels the City would not be held responsible for rocks rolling from Forest Service property to someone else's property. He commended staff for their knowledge about mitigating fire danger, and for explaining to him that homes actually help mitigate that danger. **Mayor Talbot** said Dave Millheim will be late coming to the general meeting in order to attend the Fruit Heights City Council meeting. He helped them put together a presentation for obtaining new fire services because they have not been happy with Kaysville's fire service.

REGULAR SESSION

Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Brigham Mellor, Cory Ritz and Brett Anderson, City Manager Dave Millheim, City Development Director David Petersen, Associate City Planner Eric Anderson, City Recorder Holly Gadd and Recording Secretary Melanie Monson.

CALL TO ORDER:

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

The invocation was offered by Councilmember **Doug Anderson** and the Pledge of Allegiance was led by Boy Scout **Michael Bady**.

Mayor Talbot excused Dave Millheim as he is attending a conflicting City Council meeting in Fruit Heights to answer questions for them.

PRESENTATIONS/REQUESTS/PROPOSALS:

Information regarding the Air Show at Hill AFB

Kevin Ireland, 2380 Washington Blvd, Ogden, Utah. He is the Ogden-Weber County Chamber of Commerce Director and the Air Show Director. He said the Air Show is the single largest event in the State. It is a \$50+ million dollar event, with economic benefits to the entire state. The dates are June 25-26. He said there are two jet teams this year, including the USAF Thunderbirds and the Breitling Jet team from France. He said they cannot charge for parking or for tickets because it is on a Federal Installation. He said the cost this year is over \$600,000. They are approaching their fundraising goal, and he asked for support from the City. He said the Utah State Legislature contributed \$200,000. He said Frontrunner will be running on the Sunday of the event in order to help with traffic. He said there will be lots of fun activities, food, and incredible aircraft. He said they have about 7 hours of flying time, which almost triples any other air show. He said people come from several nearby states in

order to attend, and book hotels, buy gas and food, etc. He said this event is economically beneficial for the State and surrounding areas. **Mayor Talbot** said the Council will look at his request for financial support. **Kevin Ireland** said they will begin marketing soon, in print, on the radio, on television, and will be trying to control traffic by encouraging people to ride the frontrunner and busses to attend. **Brigham Mellor** said he believes that if the City contributes, the City would get that money back from people attending the event and visiting the City. He said he would be interested in looking into a contribution. **Mayor Talbot** said there may be other businesses in the City who would want to contribute. **Kevin Ireland** encouraged the Council to bring their families to the event. He said they are launching a free airshow app for the first time for this event. It will have live weather, traffic and parking information, emergency services, Wi-Fi hotspots linked to Wikipedia articles on each airplane, as well as cameras inside the cockpits of the airplanes for people to watch as they see the airplanes.

Community Garden Proposal—Karen Rigby

Karen Rigby, 523 South 650 West, Farmington Utah. She lives right next door to the Miller Meadows subdivision. She said there is a 4 acre piece of land in the middle of that neighborhood. She said a few years ago they invited neighbors to participate in gardening a ¼ acre piece of that land. She said there were about 15 families who participated. She said she and her husband paid for the water and tilled it up. She said her goal is to encourage people to become interested in gardening again for economic and health reasons.

Ron Zollinger is a resident of Kaysville and is the Chairman of the Kaysville City Yard and Garden Civic committee, which sponsors several different projects under that umbrella, including a community garden. He said **Karen** approached him as a resource to help her get started, and he encouraged her seek the City's support. He said he thinks the land use is ok and that it would be good to have the City's support. He said **Karen** is part of their Civic Committee. He said one of their projects is to organize a Tri City Yard and Garden Tour (including Farmington, Fruit Heights, and Kaysville), which will be at the end of June this year. It is a self-guided tour with 5-6 yards from each City, where homeowners open their yards for people to see what they have done.

Dave Petersen said there are two options to make this happen. The City can establish a committee, in which case the City needs to determine what kind of committee will be best, which can continue on as is or can be formed into a non-profit group in the future. The other option is for the Rigby's to obtain a Conditional Use permit. Because the property is located in the AE zone, such uses are considered conditional use. They would have to amend the conservation easement to allow this use, which would be simple to do. The Planning Commission could consider such an application on April 7th in order to get it up and running during this growing season. He asked for the Council's direction.

Doug Anderson said **Karen** has a green thumb, and said he thinks this would be a great addition to the City's portfolio. He said he would love to see this as part of the community. He said he thinks it would be good to start this process and form a committee this year. **Brett Anderson** said residents complain to him that this property is not being put to good use, and this would be an excellent use. He said in addition to being a good use, it would help stifle some of those complaints. He asked **Karen** how much land she would propose using if they were to maximize this garden. **Karen Rigby** replied that there are about 3.5 acres total, and they could use whatever they want. **John Bilton** asked where people would park and how they would access it. **Karen Rigby** said there is room for 7 cars to park along Rigby road. **John Bilton** said he would like to see a committee established. He said there may be some

unintended consequences to the neighbors, and a committee would be a good way to find out answers to some of those questions. He said he would like it to be a conditional use, which would allow the City to create some conditions for them to meet. **Cory Ritz** said if it is a City sponsored committee, then if there are other similarly available properties, they could be put to good use as well. **Mayor Talbot** asked the Council for their opinion with a thumbs up or down, and they all responded with a thumbs up. He directed staff to move forward in order to get something established. He said the City could advertise on the website and in the newsletter to find people who are interested. He said Weber Basin is there, but they need to figure out how to get water to the plots via pipes/irrigation. He asked Dave Petersen to get the conditional use application going. **Ron Zollinger** said in Kaysville they charge a \$15 use fee per plot to help off-set the cost of supplies. **Mayor Talbot** thanked Karen for her efforts. **Doug Anderson** volunteered to support the Garden Committee from the City Council.

PUBLIC HEARINGS:

Sunset Hills Plat Amendment—Elite Craft Homes

Eric Anderson said Jerry Preston owns 4 lots as part of the Sunset Hills II subdivision, and wants to combine them into two lots. As a result he has to go through the plat amendment process. He said they sent letters to all the homeowners within the plat, giving them 10 days to protest. Holly did not receive any comments during that time. Before the City records the plat, Jerry will have to take care of a remnant piece of property through a boundary adjustment. He said staff and the Planning Commission recommend approval.

Mayor Jim Talbot opened the public hearing at 7:33 p.m.

Mayor Jim Talbot closed the public hearing at 7:33 p.m.

Dave Petersen recommended adding "*The City Council hereby approves an order vacating all of said parcel from the Sunset Hills Subdivision*" to the motion. He said staff can add an ordinance to be adopted via Summary Action during the next meeting to ratify it.

Jerry Preston, 177 North Main Street Farmington, Utah. He said he purchased those 4 properties, and created an easement. He thought he was purchasing 2 lots, but it was never recorded at the County.

Motion:

Brigham Mellor made a motion that the City Council approve the plat amendment for Sunset Hills Conservation Subdivision Number 2 Second Amendment subject to all applicable Farmington City ordinances and development standards, and the following condition: the applicant shall resolve the remnant parcel created by a previous illegal subdivision (parcel ID number 070380026) prior to recordation per Section 12-7-030(7). The City Council hereby approves an order vacating all of said parcel from the Sunset Hills Subdivision.

Doug Anderson seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed plat amendment meets the requirements of the subdivision and zoning ordinance.
2. The affected subdivision has already installed all required improvements.
3. The proposed plat amendment is decreasing density because it is combining 4 parcels into 2 lots.

General Plan Amendment Adopting the Farmington Active Transportation Plan

Dave Petersen said the Wasatch Front Regional Council asked them to create a presentation for their meeting this Thursday, and has said they really likes this project. He said part of why the packet is so thick is due to the appendix, which contains all the standards for pedestrian walkways, etc. He said the City has not had anything quite like this ever before, which provides standards for and prioritizes pedestrian and bike pathways.

Eric Anderson gave the PowerPoint presentation. He said Kaysville and Farmington submitted a joint application for the Wasatch Front Regional Council (WFRC) local planning resource program in 2015. In March of 2015, the City was awarded a match grant for \$50,000 total, ½ coming from WFRC and ¼ from each municipality. He said the City selected Alta Planning and Design to create the Active Transportation Plan. He said after they received the grant and selected Alta, they identified the purpose, looked at existing needs, recommended improvements, and funding sources. The purpose was to create a unified Active Transportation Plan that is seamless between cities. He said they formed a steering committee comprised of various stakeholders, to determine the vision and the goals of the plan, etc. As part of this, they conducted a field investigation ride, put up an interactive online mapping tools for people to draw things they wanted to see, and also had an online public survey, which had over 1000 respondents. He reviewed the results of the survey. He said by far the most common response was creating an east/west connection from the Station Park area to the Lagoon area. He said they also held a public open house in December and over 250 people attended. He reviewed the existing systems, and said while the City's trails are excellent, the City needs more bike lanes. They also reviewed 5 years of data on pedestrian and bike crashes. He reviewed a map of demand, origin and destination. Most people want more connections to Station Park and Lagoon. Alta identified needs, gaps, opportunities and constraints. Based on all this information, Alta created a map with recommended improvements for the City. He said this explains the best practices for implementing this plan. They included illustrations of different needed intersections, lane treatments, and signals/signs.

Dave Petersen said the prioritization is as follows: a Park Lane overpass, Main Street widening and sidewalk improvements, 200 East, Shepard Lane overpass, West Davis Corridor Trail, and Legacy Parkway Trail north extension. He said all these are detailed in Appendix C. He detailed the improvements needed for each priority. He said a lot of them will be paid for by development, and some will be paid for by UDOT, but they need to get on the Plan in order to be funded. **Eric Anderson** said they asked Alta to look at funding. They helped the City identify some of the many grants available for funding the priorities. He also showed a chart with estimated costs for each improvement. He said UTA is going for a Tiger Grant, which is for improving areas surrounding public transportation stations. He applauded Alta Planning

for their efforts in crafting this plan, which staff feels has been very successful. **Brigham Mellor** said working together with Kaysville will strengthen applications for funding sources. He said UTA has indicated they are looking to apply Prop 1 money on the Lagoon Shuttle, but also possibly toward trails. He also said the County will have a lot of money coming in from Prop 1, with only 31 miles of road.

Mayor Jim Talbot opened the public hearing at 8:02 p.m.

Jake Young, 239 Ironside Road, Farmington, Utah. He said the plan is really well done, and he is glad the City completed it along with Kaysville. He said he hopes the West Davis Corridor does not go through, but if it does, the trail is a must, and hopes for some really good berming to help block out the sound.

Amy Shumway, 1178 Frontline Way, Farmington, Utah. She thanked the City for completing this plan, and was glad she could be on the committee. She said she is glad that the Park Lane connection is the number one priority. She also thanked Mayor Talbot for his kind comments in the newsletter about her presentation from a few weeks ago.

Mayor Jim Talbot closed the public hearing at 8:04 p.m.

Motion:

John Bilton made a motion that the City Council amend the General Plan adopting the enclosed Farmington Active Transportation Plan as an element of its General Plan, subject to all applicable Farmington City ordinances.

Doug Anderson seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed active transportation plan will help guide the City in the future towards developing roads and infrastructure for alternative means of transportation.
2. The proposed active transportation plan will better situate the City in locating and acquiring funding sources for bike and pedestrian paths and infrastructure.
3. The proposed active transportation plan will guide and inform the City in future decisions regarding all modes of transportation.
4. By codifying the Farmington Active Transportation Plan and adopting it as part of the General Plan, the City is getting a standard, being proactive, and making a commitment to active transportation, which is growing in popularity and being demanded at ever increasing levels.

NEW BUSINESS:

Request for Annexation of 20.2 Acres of Property—Residences at Farmington Hills Subdivision

Mayor Talbot reminded the audience that this is not a public hearing. **Eric Anderson** said this item has been before the Council several times. He said the applicant is proposing to develop 44.5 acres, 20 of which are unincorporated County property. Before the applicant can move forward, those acres need to be annexed into the City. He said there is nowhere else for this land to go, and neighboring cities are too far north and south. That is why those acres are already in the annexation declaration. He said there is existing land zoned LR on the other half of the property. Staff is recommending approval of the annexation with the LR-F zone designation, which is consistent with the General Plan. The Planning Commission is recommending approval of the annexation with the default A-F zone designation. He said some of the uses allowed in A-F may have more impact on the surrounding neighbors than the residential zone. **Brett Anderson** asked if any of the other property is zoned A-F, and **Eric Anderson** replied that there are a few remaining parcels throughout the City, which are intended to be rezoned at some point in the future. He said the applicant has completed geotech studies above and beyond what is normally required. He said the additional borings were completed, and showed that the soil is stable enough for construction.

Jerry Preston, 177 North Main Street, Farmington, Utah. He received approval from the Planning Commission for preliminary plat, and said he was available to answer questions.

Mayor Talbot stated for the record that he and the Council have received several emails from Cory Crowell, and he wanted to acknowledge them; however he clarified that this discussion is only surrounding annexation.

Brigham Mellor said he has always been the most ardent opposing voice to this project on the basis of safety concerns. He was concerned that the land was too steep, and was concerned about liability for the City. He said the reports that came back identified the risk, but said it could be mitigated and did not recommend denying the application on that basis. He said a lot of the property is already zoned LR-F and could be developed at a higher density. He pointed out that this developer has been willing to go above and beyond in every respect. He stated that he does not feel it is fair to make a land use decision based on who will own the property. He has come to the conclusion that development of this property is acceptable, and that his concerns have been addressed. He said there are points to be made for each zoning designation, and he defers to the rest of the Council on the zoning decision.

Brett Anderson said it is important for people to realize the issue here is annexation and not development of this property. He said he read through the annexation statutes and ordinances, and based on those qualifications it makes sense for this land to come into the City.

John Bilton said this is the 5th time this matter has come before the Council, in addition to the times it has been before the Planning Commission. He said there will be other steps to take in the future after annexation.

Motion:

John Bilton made a motion to approve the enclosed ordinance and plat annexing 20.2 acres of property into Farmington City with the zoning designation of LR-F, subject to all applicable Farmington City ordinances and development standards and the following condition: the applicant shall receive preliminary plat approval prior to the property being annexed.

Cory Ritz seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed annexation is within the City's Annexation Declaration Area.
2. The zoning designation of LR-F is consistent with the surrounding properties and will create a more uniform zoning map.
3. Many of the properties being annexed are currently bifurcated by the existing city boundary, and the half of their property that is in the city limits are zoned by LR-F; by zoning the remainder of their property LR-F, the City will be rendering their property under one zoning designation, instead of multiple zones.
4. The zoning designation of LR-F is consistent with the General Plan designation of LDR (Low Density Residential).

Right-In Right-Out Design on Highway 89 Frontage Road—WCEC Engineers

Dave Petersen said there are 85 acres between Park Lane and Shepard Park, including the Mercedes dealership. He said there is a developer assembling property, who is working with the Hess family. He said the Master Plan shows a connection near the blue barn that is over there. The City met with Matt Hess, and verified that the City has the connection. UDOT met with the City later, and they confirmed that the City does have the ability to put in a right-in, right-out at the planned location. He said the City needs a study to be done, and he recommended having the City's traffic engineers complete it. He said the developer will reimburse the City for the study. The cost is \$18,950.

Motion:

Brigham Mellor made a motion to approve the enclosed scope of work and authorize the Mayor on behalf of the City to enter into contractual agreement with WCEC to design, coordinate, and facilitate the review and permitting process with UDOT for a right-in right-out on the Frontage Road on the east side of HWY 89 in the vicinity of the blue barn.

Doug Anderson seconded the motion which was unanimously approved.

SUMMARY ACTION

Minute Motion Approving Summary Action List

1. Reject Contract for Surplus Lot On Country Lane and Approval of Backup Offer
2. Approval of Minutes from March 1, 2016
3. Rocky Mountain Power Storm Drain Easement

Motion:

Brett Anderson made a motion to approve the items on the Summary Action List 1-3, and recused himself from item 1.

Brigham Mellor seconded the motion which was unanimously approved, with the one recusal.

GOVERNING BODY REPORTS:

City Manager – Dave Millheim

1. Executive Summary for the Planning Commission meeting held on March 3, 2016
2. Police and Fire Monthly Reports for February
3. UTA Improvements—Bus Stop Pads: he said this is a cleanup item. He said staff will approach UTA to see if the City can get some Prop 1 money to help pay for the bus stop improvements.
4. Undergrounding of Utility Poles: He said undergrounding utilities is easy to do with new developments, but is more difficult to retrofit old, existing poles. He said he contacted Rocky Mountain Power, seeking to get an estimate of the cost. He said they agreed to study the area and get an idea of the cost of constructing and undergrounding the poles. He asked the Council for any targeted areas to include in the study. **John Bilton** said he would like to look at areas that are already under construction. **Dave Millheim** said it would make sense to look at areas the City is already working on or would be likely to work on. **Brigham Mellor** said he would prioritize the money toward trail connections, and not toward burying power lines. **Dave Millheim** said he would like to come back with several targeted areas to prioritize, and will come up with several specific areas to discuss with the Council. He stated that Rocky Mountain Power is not charging to complete the analysis. **Brigham Mellor** commented that he read in the Planning Commission notes that one Commissioner abstained from a vote because she feels that private schools are bad for Farmington children. He asked if the City needed to allocate funds for additional training for the Planning Commissioners. **Dave Petersen** said that she expressed concern that a particular school is not a non-profit organization, and it was a political statement. He said training is scheduled for April 21st. **Dave Millheim** said that has nothing to do with the decision they were making, and they will be completing training. He said it is a teaching moment.
5. Strategic Planning: The next City Council meeting will be on April 19th. There will be a work session format strategic planning session on Friday April 8th at 1 pm. He said he will be giving a document to the Council to review prior to the meeting. He said they simplified and streamlined the priorities from previous strategic planning meetings. He said he will be meeting with each department head to establish their top 5 hot button items. That way the Council will be able to rank them and establish a set of priorities for moving forward and getting things done. Discussing those priorities will be the focus of the meeting.

City Council—Committee Reports:

Brett Anderson: The Trails Committee will meet this Thursday. He asked if there could be a set of priorities put online for the sidewalks, just like there is one for streets. That way the public will know what is coming and they can give better feedback.

Cory Ritz: He said the Mosquito Abatement District is gearing up for treatment season. He said this cold weather is not cold enough to kill the mosquitos, but it will slow them down. He said he brought up his concern during the work session.

John Bilton: His committee does not have a meeting scheduled yet. He said he looked at several properties under construction, and is impressed with the gym in particular. He said once 650 West is improved, it will be a straight road, and he is concerned that high schoolers will drive too fast.

Brigham Mellor: The League of Cities and Towns has not met through the Utah legislative session, but he will meet with them in April.

Doug Anderson: The Youth City Council loved the presentation during the last City Council meeting. He said they filled Easter Eggs and had pizza for their kickoff meeting. He said for the Davis Chamber of Commerce, the grand opening of Cabela's will take place on April 21st and said he passed out invitations to the Council. They do not have a meeting scheduled right now but he plans to attend a luncheon they have scheduled for April 17th. He asked when the sticks/branches around the City will be picked up. **Dave Millheim** said the Spring Cleanup will take place on March 28 and will be finished about 2 weeks after that. He said residents will be cited for littering if they leave things out after that point. He said their trees and tree branches must be trimmed down in order to fit. **Brigham Mellor** said cities that do not have spring cleanups have more code enforcement problems. **Dave Millheim** said the City can track all the money it spends on spring cleanup because it is considered fire protection and will offset its state fire protection fee.

Mayor Jim Talbot

1. Strategic Planning: He offered to host the meeting at his home in St. George. He said if the Council still needs accommodations, they need to contact Holly.
2. Mother of the Year: He said the Davis Clipper has decided not to do that this year. He said if the City has a Mother of the Year to submit, the City can submit it to the Clipper and they will do an article and give them a plaque.
3. City Council Bio's: He said it just needs to be a brief paragraph about them as individuals and asked the Council to submit them to Holly.
4. He referred to the building where people take their driver's license tests, across from the Chevron. UDOT has hired Wadsworth to do some major construction near that area in the next year. They would like to use the ground next to the license area and put a batch plant there (which is a construction staging area for mixing concrete). They are saying they will only be doing the work at night, and it will go through the fall of 2017. **Brigham Mellor** said he has seen how they do this, and they kick up a lot of dust in the process, but they clean it up well after they are done. **Dave Millheim** said they approached Dave Petersen and did not get the answer they wanted, which is why they approached Mayor Talbot. He said this is not UDOT coming to the City, but a contractor coming to the City. This will allow them to lower their transportation costs and thus lower their bid cost. He said it will be during peak Lagoon season, the Mercedes dealership will be opening, and the City will be trying to showcase the new Cabela's, so it would not be a good time to have all the extra truck traffic. **Mayor**

Talbot did not give them his blessing and said he wanted to get the Council's read on it. **Dave Petersen** consulted Chapter 28 of the code, which says batch plants are a temporary use, which is not allowed in the Agriculture zone. He consulted with Todd Godfrey, who said it could be interpreted that batch plants could be allowed anywhere in the City. **Doug Anderson** asked about batch plants and **Dave Millheim** said it is a miniature concrete processing plant. **Mayor Talbot** said none of it is for projects within the City. **Dave Millheim** said he does not feel good about putting a batch plant in the middle of the City where there will already be a lot of construction. He said a batch plant in an industrial area makes sense. He said he applauds the contractor for asking, but does not feel good about it. **Brett Anderson** asked Dave Petersen to include this on his white board list of ordinances to look at. **Dave Petersen** said yes, and said he does not necessarily agree with Todd Godfrey's interpretation. **Mayor Talbot** asked the Council for their opinions, and the Council unanimously discouraged the approval of a temporary batch plant. He asked Dave Petersen to get back with Wadsworth Construction.

CLOSED SESSION

Motion:

At 8:59 p.m., **Brigham Mellor** made a motion to go into a closed meeting for purpose of discussing property and potential litigation, and the character and competency of an individual. **Doug Anderson** seconded the motion which was unanimously approved.

Sworn Statement

I, **John Bilton, Mayor Pro-temp** of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the Council was so convened in a closed meeting.

John Bilton, Mayor Pro-temp

Motion:

At 11:21 p.m., a motion to reconvene into an open meeting was made by **Brigham Mellor**. The motion was seconded by **Doug Anderson** which was unanimously approved.

Motion:

Cory Ritz made a motion to instruct staff to move forward with the revised Management Plan for the conservation easements and to take the steps as outlined. The motion died for lack of a second.

ADJOURNMENT

Motion:

At 11:23 p.m., **Doug Anderson** made a motion to adjourn the meeting. **Brett Anderson** seconded the motion which was unanimously approved.

Holly Gadd, City Recorder
Farmington City Corporation



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Ken Klinker, Planning Department

Date: April 5, 2016

SUBJECT: MEADOW VIEW PHASE II IMPROVEMENTS AGREEMENT

RECOMMENDATION

Approve the Farmington City Improvements Agreement (Cash Form) between Meadow View Phase II, LLC and Farmington City for Meadow View Phase II Subdivision.

BACKGROUND

The bond estimate for the Meadow View Phase II subdivision is \$312,468.04 which includes a 10% warranty bond. Meadow View Phase II, LLC has submitted a Cash Deposit Bond Improvements Agreement with Farmington City to administer a cash account for this project in the amount of \$312,470.00.

This bond will be released as improvements are installed by the developer and inspected by the City. Once all improvements are installed and inspected, all the bond except the warranty amount will be released. After a warranty period of 1 year, the warranty bond will be released once all items are accepted as satisfactory by the City.

Respectfully submitted,

Ken Klinker
Planning Department

Review and Concur

Dave Millheim
City Manager

FARMINGTON CITY

IMPROVEMENTS AGREEMENT

(CASH FORM)

THIS AGREEMENT is made by and between Meadow View Phase 2^{all} Farmington (hereinafter "Developer"), whose address is 336 W. Broadway #110, SLCC, and (Clearwater Homes) Farmington City Corporation, a municipal corporation of the State of Utah, (hereinafter "City"), whose address is 160 South Main, P.O. Box 160, Farmington, Utah, 84025-0160.

WHEREAS, Developer desires to subdivide and/or to receive a permit to develop certain property located within the City, said project to be known as Meadow View Phase 2, located at approximately 475 N. 1525 W., in Farmington City; and

WHEREAS, the City will not approve the subdivision or issue a permit unless Developer promise to install and warrant certain improvements as herein provided and security is provided for that promise in the amount of \$ 312,468.02.

NOW, THEREFORE, in consideration of the mutual promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Installation of Improvements.** The Developer agrees to install all improvements required by the City as specified in the bond estimate prepared by the City for Developer's project which shall be an Exhibit hereto, (the "Improvements"), precisely as shown on the plans, specifications, and drawings previously reviewed and approved by the City in connection with the above-described project, and in accordance with the standards and specifications established by the City, within 12 months from the date of this Agreement. Developer further agrees to pay the total cost of obtaining and installing the Improvements, including the cost of acquiring easements.
2. **Dedication.** Where dedication is required by the City, the Developer shall dedicate to the City the areas shown on the subdivision or development plat as public streets and as public easements, provided however, that Developer shall indemnify the City and its representatives from all liability, claims, costs, and expenses of every nature, including attorneys fees which may be incurred by the City in connection with such public streets and public easements until the same are accepted by the City following installation and final inspection of all of the Improvements and approval thereof by the City.
3. **Cash Deposit.** The Developer has delivered to the City cash or a cashier's check in the aggregate amount of \$ 312,470.00 for deposit with the City in its accounts (the "deposit"), which the Developer and the City stipulate to be a

reasonable preliminary estimate of the cost of the Improvements, together with 10% of such cost to secure the warranty of this Agreement and an additional 10% of such cost for contingencies.

4. **Progress Payments.** The City agrees to allow payments from the deposit as the work progresses as provided herein. The City shall, when requested in writing, inspect the construction, review any necessary documents and information, determine if the work completed complies with City construction standards and requirements, and review the City's cost estimate. After receiving and approving the request, the City shall in writing authorize disbursement to the Developer from the Deposit in the amount of such estimate provided that if the City does not agree with the request, the City and Developer shall meet and the Developer shall submit any additional estimate information required by the City. Except as provided in this paragraph or in paragraphs 5 through 7 inclusive, the City shall not release or disburse any funds from the Deposit.
5. **Refund or Withdrawal.** In the event the City determines it is necessary to withdraw funds from the Deposit to complete construction of Improvements, the City may withdraw all or any part of the Deposit and may cause the Improvements (or any part of them) to be constructed or completed using the funds received from the Deposit. Any funds not expended in connection with the completion of said Improvements by the City shall be refunded to Developer upon completion of the Improvements, less an additional 15% of the total funds expended by the City, which shall be retained by the City as payment for its overhead and costs expended by the City's administration in completing the Improvements.
6. **Preliminary Release.** At the time(s) herein provided, the City may authorize release of all funds in the Deposit, except 10% of the estimated cost of the Improvements, which shall be retained in the Deposit until final release pursuant to the next paragraph. Said 10% shall continue as security for the performance by the Developer of all remaining obligations of this Agreement, including the warranty, and may be withdrawn by the City as provided in paragraph 5 above for any breach of such an obligation. The release provided for in this paragraph shall occur when the City certifies that the Improvements are complete, which shall be when the Improvements have been installed as required and fully inspected and approved by the City, and after "as-built" drawings have been supplied as required.
7. **Final Release.** Upon full performance of all of Developer's obligations pursuant to this Agreement, including the warranty obligations of paragraph 26, the City shall notify the Developer in writing of the final release of the Deposit. After giving such notice, the City shall relinquish all claims and rights in the Deposit.
8. **Non-Release of Developer's Obligations.** It is understood and agreed between the parties that the establishment and availability to the City of the Deposit as

herein provided, and any withdrawals from the Deposit by the City shall not constitute a waiver or estoppel against the City and shall not release or relieve the Developer from its obligation to install and fully pay for the Improvements as required in paragraph 1 above, and the right of the City to withdraw from the Deposit shall not affect any rights and remedies of the City against the Developer for breach of any covenant herein, including the covenants of paragraph 1 of this Agreement. Further, the Developer agrees that if the City withdraws from the Deposit and performs or causes to be performed the installation or any other work required of the Developer hereunder, then any and all costs incurred by the City in so doing which are not collected by the City by withdrawing from the Deposit shall be paid by the Developer, including administrative, engineering, legal and procurement fees and costs.

9. **Connection and Maintenance.** Upon performance by Developer of all obligations set forth in this Agreement and compliance with all applicable ordinances, resolutions, rules, and regulations of the City, whether now or hereafter in force, including payment of all connection, review and inspection fees, the City shall permit the Developer to connect the Improvements to the City's water and storm drainage systems and shall thereafter utilize and maintain the Improvements to the extent and in the manner now or hereafter provided in the City's regulations.
10. **Inspection.** The Improvements, their installation, and all other work performed by the Developer or its agents pursuant to this Agreement shall be inspected at such times as the City may reasonably require and prior to closing any trench containing such Improvements. The City shall have a reasonable time of not less than 24 hours after notice in which to send its representatives to inspect the Improvements. Any required connection and impact fees shall be paid by the Developer prior to such inspection. In addition, all inspection fees required by the ordinances and resolutions shall be paid to the City by the Developer prior to inspection.
11. **Ownership.** The Improvements covered herein shall become the property of the City upon final inspection and approval of the Improvements by the City, and the Developer shall thereafter advance no claim or right of ownership, possession, or control of the Improvements.
12. **As-Built Drawings.** The Developer shall furnish to the City, upon completion of the Improvements, drawings showing the Improvements, actual location of water and sewer laterals including survey references, and any related structures or materials as such have actually been constructed by the Developer. The City shall not be obligated to release the Deposit until these drawings have been provided to the City.

13. **Amendment.** Any amendment, modification, termination, or rescission (other than by operation of law) which affects this Agreement shall be made in writing, signed by the parties, and attached hereto.
14. **Successors.** No party shall assign or transfer any rights under this Agreement without the prior written consent of the other first obtained, which consent shall not be unreasonably withheld. When validly assigned or transferred, this Agreement shall be binding upon and inure to the benefit of the legal representatives, successors and assigns of the parties hereto.
15. **Notices.** Any notice required or desired to be given hereunder shall be deemed sufficient is sent by certified mail, postage prepaid, addressed to the respective parties at the addresses shown in the preamble.
16. **Severability.** Should any portion of this Agreement for any reason be declared invalid or unenforceable, the invalidity or unenforceability of such portion shall not affect the validity of any of the remaining portions and the same shall be deemed in full force and effect as is this Agreement had been executed with the invalid portions eliminated.
17. **Governing Law.** This Agreement and the performance hereunder shall be governed by the laws of the State of Utah.
18. **Counterparts.** The fact that the parties hereto execute multiple but identical counterparts of this Agreement shall not affect the validity or efficacy of their execution, and such counterparts, taken together, shall constitute one and the same instruments, and each such counterpart shall be deemed an original.
19. **Waiver.** No waiver of any of the provisions of this Agreement shall operate as a waiver of any other provision, regardless of any similarity that may exist between such provisions, nor shall a waiver in one instance operate as a waiver in any future event. No waiver shall be binding unless executed in writing by the waiving party.
20. **Captions.** The captions preceding the paragraphs of this Agreement are for convenience only and shall not affect the interpretation of any provision herein.
21. **Integration.** This Agreement, together with its exhibits and the approved plans and specifications referred to, contains the entire and integrated agreement of the parties as of its date, and no prior or contemporaneous promises, representations, warranties, inducements, or understandings between the parties pertaining to the subject matter hereof which are not contained herein shall be of any force or effect.
22. **Attorney's Fees.** In the event either party hereto defaults in any of the covenants or agreements contained herein, the defaulting party shall pay all costs and

expenses, including a reasonable attorney's fee, incurred by the other party in enforcing its rights hereunder whether incurred through litigation or otherwise.

23. **Other Bonds.** This Agreement and the Deposit do not alter the obligation of Developer to provide other bonds under applicable ordinances or rules of any other governmental entity having jurisdiction over Developer. The furnishing of security in compliance with the requirements of the ordinances or rules of other jurisdictions shall not adversely affect the ability of the City to draw on the Deposit as provided herein.
24. **Time of Essence.** The parties agree that time is of the essence in the performance of all duties herein.
25. **Exhibits.** Any exhibit(s) to this Agreement are incorporated herein by this reference, and failure to attach any such exhibit shall not affect the validity of this Agreement or of such exhibit. An unattached exhibit is available from the records of the parties.
26. **Warranty.** The Developer hereby warrants that the Improvements installed, and every part hereof, together with the surface of the land and any improvements thereon restored by the Developer, shall remain in good condition and free from all defects in materials, and/or workmanship during the Warranty Period, and the Developer shall promptly make all repairs, corrections, and/or replacements for all defects in workmanship, materials, or equipment during the Warranty Period, without charge or cost to the City. The City may at any time or times during the Warranty Period inspect, photograph, or televise the Improvements and notify the Developer of the condition of the Improvements. The Developer shall thereupon immediately make any repairs or corrections required by this paragraph. For purposes of this paragraph, "Warranty Period" means the one-year period beginning on the date on which the Improvements are certified complete by the City.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their respective duly authorized representatives this ____ day of _____, 20____

CITY:

FARMINGTON CITY CORPORATION

By: _____
H. James Talbot, Mayor

ATTEST:

Holly Gadd, City Recorder

DEVELOPER:

Meadow View Phase 2 LLC/clearway
By: Micah W Peters - Manager
Its: Manager - CEO

DEVELOPERS ACKNOWLEDGEMENT

(Complete if **Developer** is an **Individual**)

STATE OF UTAH)
 :ss.
COUNTY OF _____)

On this _____ day of _____, 20____, personally appeared before me,
_____, the signer(s) of the foregoing
instrument who duly acknowledged to me that he/she/they executed the same.

NOTARY PUBLIC
Residing in _____ County, _____.

(Complete if **Developer** is a **Corporation**)

STATE OF UTAH)
 :ss.
COUNTY OF _____)

On this _____ day of _____, 20____, personally appeared before me,
_____, who being by me duly sworn did say that he/she is
the _____ of _____ a _____
corporation, and that the foregoing instrument was signed on behalf of said corporation
by authority of its Board of Directors, and he/she acknowledged to me that said
corporation executed the same.

NOTARY PUBLIC
Residing in _____ County, _____.

(Complete if **Developer** is a **Partnership**)

STATE OF UTAH)
:SS.
COUNTY OF Salt Lake)

On this 11th day of March, 2016, personally appeared before me, Micah Peters, who being by me duly sworn did say that he/she/they is/are the Manager - CEO of Meadow View Phase II, LLC, a partnership, and that the foregoing instrument was duly authorized by the partnership at a lawful meeting held by authority of its by-laws and signed in behalf of said partnership.

Rachel Pike

NOTARY PUBLIC
Residing in Davis County, Utah.

(Complete if **Developer** is a **Limited Liability Company**)

STATE OF UTAH)
:SS.
COUNTY OF Salt Lake)

On this 11th day of March, 2016, personally appeared before me Micah Peters who being by me duly sworn did say that he or she is the Manager - CEO of Meadow View Phase II, LLC, a limited liability company, and that the foregoing instrument was duly authorized by the Members/Managers of said limited liability company.

Rachel Pike

NOTARY PUBLIC
Residing in Davis County, Utah.



CITY ACKNOWLEDGEMENT

STATE OF UTAH)
 : ss.
COUNTY OF _____)

On the _____ day of _____, 20____, personally appeared before me
H. James Talbot and Holly Gadd who, being by me duly sworn, did say that they are the
Mayor and City Recorder, respectively, of Farmington City Corporation, and said persons
acknowledged to me that said corporation executed the foregoing instrument.

NOTARY PUBLIC
Residing in _____ County, _____.

Meadow View Phase 2
Bond Estimate
Revised 12-11-2015 (Subtracted Completed Work)

Storm Drain							
Item	Quantity	Unit	Unit Cost	Bond Amount	Bond Released	Current Draw	%
18" RCP Pipe (Includes Bedding and Fill)	120	LF	\$ 44.00	\$ 5,280.00	0 \$	-	0%
24" RCP Pipe (Includes Bedding and Fill)	42	LF	\$ 52.00	\$ 2,184.00	0 \$	-	0%
10" PVC Pipe (Includes Bedding and Fill)	1335	LF	\$ 30.00	\$ 40,050.00	0	0	0%
Yard Box	19	EA	\$ 1,500.00	\$ 28,500.00	0	0	0%
Standard Inlet Box	0	EA	\$ 2,000.00	\$ -	0 \$	-	#DIV/0!
Combination Box	0.1	EA	\$ 3,800.00	\$ 380.00	0 \$	-	0%
Manhole / Junction Box	0.35	EA	\$ 3,600.00	\$ 1,260.00	0 \$	-	0%
SWPPP	1	LS	\$ 5,000.00	\$ 5,000.00	0	0	0%
Inlet / Outlet Structure	2	EA	\$ 2,000.00	\$ 4,000.00	0	0	0%
Subtotal				\$ 86,654.00			
10% Warranty Bond				\$ 18,656.20			
Total				\$ 105,310.20	\$	-	

Sanitary Sewer							
Item	Quantity	Unit	Unit Cost	Bond Amount	Bond Released	Current Draw	%
8" PVC DR-35	120	LF	\$ 36.00	\$ 4,320.00	0 \$	-	0%
48" Sewer Manhole	0.5	EA	\$ 3,000.00	\$ 1,500.00	0 \$	-	0%
Connect to Existing	0	EA	\$ 4,000.00	\$ -	0 \$	-	#DIV/0!
Sewer Lateral	0	EA	\$ 1,800.00	\$ -	0 \$	-	#DIV/0!
Subtotal				\$ 5,820.00			
10% Warranty Bond				\$ 9,550.00			
Total				\$ 15,370.00	\$	-	

Cullinary Water							
Item	Quantity	Unit	Unit Cost	Bond Amount	Bond Released	Current Draw	%
Connect to Existing	0	EA	\$ 4,000.00	\$ -	0 \$	-	#DIV/0!
8" C900 PVC	0	LF	\$ 50.00	\$ -	0 \$	-	#DIV/0!
8" Valve	0.3	EA	\$ 2,500.00	\$ 750.00	0 \$	-	0%
8" Fittings	0	EA	\$ 1,000.00	\$ -	0 \$	-	#DIV/0!
Water Lateral	0	EA	\$ 1,800.00	\$ -	0 \$	-	#DIV/0!
Fire Hydrant	0	EA	\$ 6,000.00	\$ 1,200.00	0 \$	-	0%
Subtotal				\$ 1,950.00			
10% Warranty Bond				\$ 13,070.00			
Total				\$ 15,020.00	\$	-	

Road Improvements								
Item	Quantity	Unit	Unit Cost	Bond Amount	Bond Released	Current Draw	%	
Clear and Grub	0	LS	\$ 5,000.00	\$ -	0	\$ -	#DIV/0!	
Rough Grade	0	LS	\$ 25,000.00	\$ -	0	\$ -	#DIV/0!	
Sawcut Asphalt	56	LF	\$ 3.15	\$ 176.40	0	0	0%	
Curb and Gutter w/ Base	254	LF	\$ 20.00	\$ 5,080.00	0	\$ -	0%	
Sidewalk w/ Base	10140	SF	\$ 4.70	\$ 47,658.00	0	0	0%	
ADA Ramp	2	EA	\$ 1,200.00	\$ 2,400.00	0	0	0%	
12" Road Base	3600	SF	\$ 1.30	\$ 4,680.00	0	\$ -	0%	
3" Asphalt Road	36000	SF	\$ 2.50	\$ 90,000.00	0	0	0%	
Subtotal				\$ 149,994.40				
10% Warranty Bond				\$ 26,773.44				
Total				\$ 176,767.84		\$ -		
Total Bond				\$ 312,468.04		\$ -		

Cash Deposits					
Item	Quantity	Unit	Unit Cost	Bond Amount	
Slurry Seal	36000	SF	\$ 0.20	\$ 7,200	
Street Signs	8	EA	\$ 300.00	\$ 2,400	
Street Lights	3	EA	\$ 3,200.00	\$ 9,600	



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
JAMES YOUNG
CITY COUNCIL

DAVE MILLBEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Eric Anderson, Associate City Planner

Date: April 8, 2016

SUBJECT: **Farmington Park Phase III – Final Plat**
Applicant: Kameron Spencer – Fieldstone Homes

RECOMMENDATION

Move that the City Council approve the Final Plat for the Farmington Park Conservation Subdivision Phase III subject to all applicable Farmington City codes and development standards and the following conditions:

1. The applicant will obtain a no-rise certificate for the proposed subdivision;
2. Prior to recordation, the applicant shall dedicate a storm drain easement on Lot 337 in favor of Farmington City and that dedication shall be approved by the City Engineer;
3. The yard drain easements on the west side of the properties abutting the 1100 West park shall include language on the final plat accepting 10' of the park to drain into them, and shall be shown on the plat prior to recordation;
4. All improvement drawings, including but not limited to the grading and drainage plan, street cross-section and profiles, and standard details must receive final approval from the DRC prior to either recordation of the plat or a pre-construction meeting, whichever comes first.

Findings:

1. The proposed development meets all of the old standards and requirements of a conservation subdivision (option 2) in the AE zone such as minimum lot sizes, lot widths and setbacks; the applicant received preliminary plat approval for a conservation subdivision prior to the zone text change to Chapter 12 and is therefore grandfathered in under the old rules.
2. The proposed development is at a density of 2.3 units per acre, which is consistent with the adjacent neighborhoods and the RRD General Plan designation.
3. The development is not seeking a waiver of the open space provision and is providing the City with much needed recreational space.
4. The 1100 West park drains from east to west, and discharges on 1100 West, however, there is a 5-10' strip of land that is several feet higher than the proposed subdivision, therefore, a small amount of water may drain onto lots abutting the park, by adding language to the existing yard drains, the project is accepting this limited water.

5. The overall layout follows the low density residential objectives of the General Plan.

BACKGROUND

Fieldstone Homes is requesting final plat approval for the Farmington Park Conservation Subdivision Phase III consisting of 37 lots on 12.42 acres in an AE zone. The applicant is proposing a conservation subdivision option 2, which in an AE zone, requires the applicant to set aside 30% open space for which he'll receive a 20% incentive multiplier bonus. Because the preliminary plat for this entire subdivision was approved prior to the zone text amendment of Chapter 12, which changed the conservation subdivision standards, the applicant is grandfathered in under the old rules.

The minimum lot size in a conservation subdivision option 2 for the AE zone is 9,000 s.f. The proposed final plat meets this minimum lot size and the average lot area is 11,985 s.f. or a little over ¼ acre. The applicant has proposed larger lot sizes on the periphery of the project, to better match the surrounding neighborhoods, particularly Farmington Creek Estates Phases II and III. In this phase, the larger lots abut the new elementary school and park. Additionally the proposed final plat meets all of the other standards as set forth in Chapter 12.

Originally, the parks department had this property slated for a 4-5 acre park, but when the applicant wanted to meet the full 11 acre open space requirement, he proposed that the City use the entire 11 acres as a park, to which the Park's Department gladly welcomed as a solution. The area where the park is proposed is advantageous because it is the low point in the property and sits below the 4218 line, and is thus designated as Development Restricted on the master plan. Additionally, the proposed westerly alignment of the West Davis Corridor would impact the southwest corner of the property; this may be advantageous because converting open space to highway may be simpler than converting houses, in the event that the WDC does get built in this location.

The applicant has proposed a phasing plan for the park to be deeded to the City in parts that correspond to the subdivision phasing plans and the open space requirements therein. For instance, Phase II of the subdivision conveyed 2.17 acres to the City. However, prior to Phase III, the entirety of the park property was deeded to the City, and is now owned in fee title by the City.

A portion of the site sits in the FEMA Floodplain so the applicant will need to bring some of the houses out of the floodplain through raising the finished floor elevation. The applicant has been working with FEMA and has acquired a Conditional Letter of Map Revision that has an effective date in June. The applicant must also obtain a Letter of Map Revision (LOMR) after the effected houses are brought out of the floodplain.

At the Planning Commission meeting held on April 7, 2016 the commissioners recommended this item with no changes to the staff report because they felt that this final plat was consistent with the already approved preliminary plat and was consistent with the ordinance.

Supplemental Information

1. Vicinity Map
2. Final Plat
3. Preliminary Plat

Applicable Ordinances

1. Title 12, Chapter 3 – Final Plat
2. Title 11, Chapter 11—Agriculture Zones
3. Title 11, Chapter 12---Conservation Subdivision Development Standards

Respectfully Submitted

A handwritten signature in blue ink, appearing to read "Eric Anderson", followed by a period.

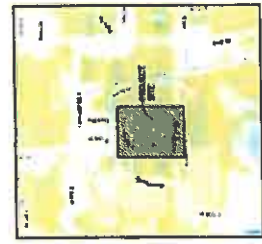
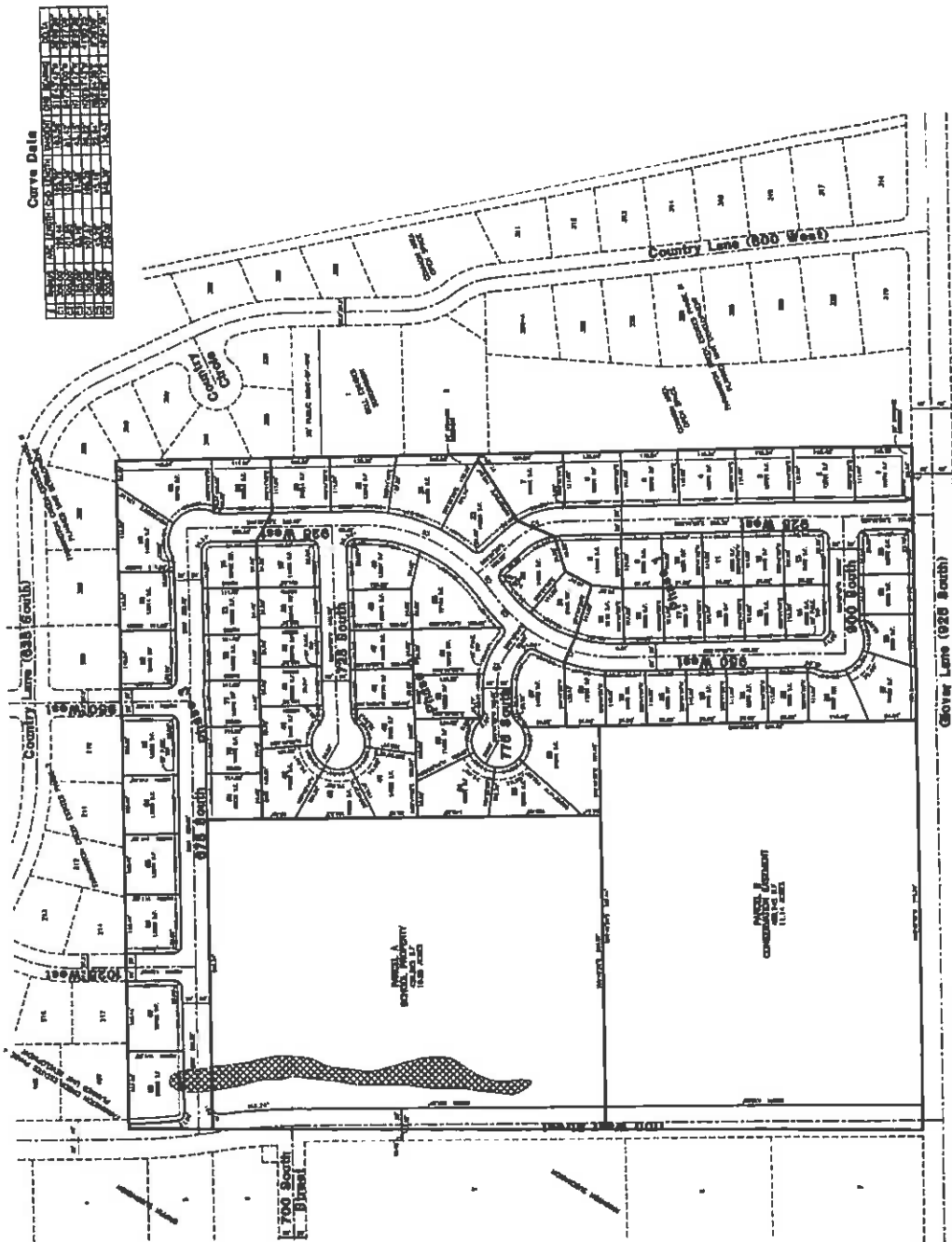
Eric Anderson
Associate City Planner

Review and Concur

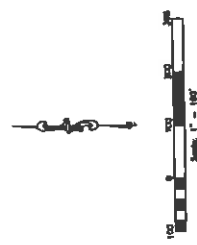
A handwritten signature in black ink, appearing to read "Dave Millheim", followed by a horizontal line.

Dave Millheim
City Manager





Violent Map

**Legal Description**[illegible]

DESIGN DATA

YEAR, AGE		10/29	ADCS
SCHOOL PROPERTY			
11th	ADCS		
12th	ADCS		
13th	ADCS		
14th	ADCS		
15th	ADCS		
16th	ADCS		
17th	ADCS		
18th	ADCS		
19th	ADCS		
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97th	ADCS		
98th	ADCS		
99th	ADCS		
100th	ADCS		

• FROM PLANS FROM THE AC. OFFICE 1-7-1

Developer
Fieldstone Homes
Jason Harris
12898 South Pony Express Road, Ste. 400
Draper, UT 84020
(801) 680-9061

Farmington Park Conservation Subdivision

Farmington City, Davis County, Utah

1. The first 100,000 copies of the book will be sold at a price of \$1.00 per copy. The publisher will receive 50% of the net proceeds from the sale of the book. The net proceeds are the proceeds after deducting the cost of the book and the cost of the publisher's expenses. The publisher's expenses are the expenses incurred by the publisher in the production and distribution of the book. The publisher's expenses are not deductible for the purpose of the book's sale.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Eric Anderson, Associate City Planner

Date: April 11, 2016

SUBJECT: **Meadows at City Park Phase II Final PUD Master Plan**
Applicant: **Pete Smith – Advanced Solutions Group**

RECOMMENDATION

Move that the City Council approve the Final PUD Master Plan subject to all applicable Farmington City ordinances and development standards and the following condition: the Nichol's Nook development agreement shall be amended prior to consideration of final plat, including but not limited to enlarging the scope of the project to include Phase II.

Findings for Approval:

1. The proposed development is a continuation of the approved Meadows at City Park Phase I and the Nichol's Nook development which is memorialized in a development agreement recorded against the property.
2. The proposed development is at a density of 5.9 units per acre, which is a significantly lower density than what is possible with a conventional subdivision in an R-4 zone.
3. The development is not seeking a waiver of the PUD open space provision and is providing the open space in the development as common area.
4. The overall layout follows the medium density residential objectives of the General Plan.
5. By providing an easement abutting the road for snow removal, as required by the Planning Commission at Preliminary Plat, the roads can remain public. Additionally, by connecting 100 West and 200 West, 50 South will provide a better layout for infrastructure and improvements.

BACKGROUND

The City Council approved Final Plat and Final PUD Master Plan for the Meadows at City Park Phase I (originally called "Nicholls Nook") on February 3, 2015. The majority of Phase I was on the 100 West side of the project, however, there was a road punching through to 200 West in anticipation of Phase II and to access improvements and utilities off of 200 West instead of 100 West.

The applicant is now moving forward with Phase II of the Meadows at City Park project, and is continuing a similar design and site layout as that of Phase I to the west. The applicant is proposing similar densities as to what was requested and approved with Phase I, with similar setbacks, landscaping, and design standards.

While this project is a PUD, it is important to note that with the R-4 zoning, the applicant could request 4-plex units up to 9 dwelling units/acre under a conventional development; in staff and many neighbors' opinions, the requested PUD is a better product with a higher design standard/requirement than may be used in a conventional R-4 development.

In addition to the twelve new lots/townhomes, the applicant is proposing that the temporary detention basin from Phase I be moved to the southwest corner of the property creating space for two more units/lots on 100 West (Units 10 and 11).

As part of the final PUD master plan, the applicant submitted improvement drawings, which were reviewed by the DRC; this also has the added benefit of making the final plat review more efficient. There was some discussion amongst the DRC and the applicant about making 50 South a private road; this was in regard to concerns about the narrow front setbacks not leaving enough room for snow storage. As a solution, the applicant pushed the homes back a few feet and created a public utility easement that doubles for snow storage. At final plat, the applicant may need to remove Units 10 and 11 from Phase II and go through a plat amendment for Phase I instead, as a way to replace the detention basin with homes.

Supplemental Information

1. Vicinity Map
2. Final PUD Master Plan
3. Landscape Plan
4. Building Elevations (From Nichol's Nook Development Agreement)
5. Site Plan Of Meadows at City Park Phase I

Applicable Ordinances

1. Title 11, Chapter 7 – Site Development
2. Title 11, Chapter 13 – Multiple-Family Residential Zones
3. Title 11, Chapter 27 – Planned Unit Development (PUD)

Respectfully Submitted

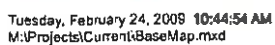


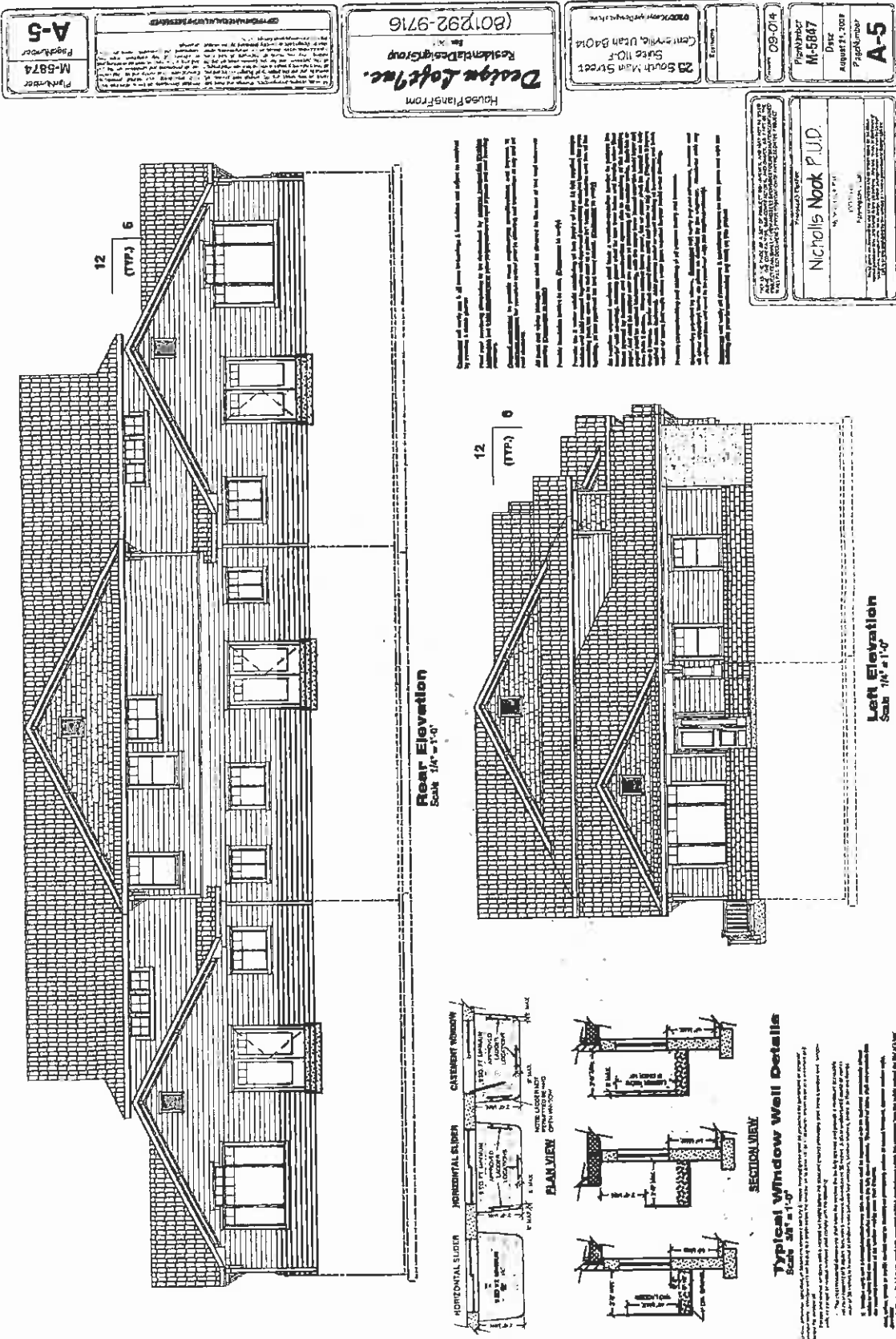
Eric Anderson
Associate City Planner

Review and Concur



Dave Millheim
City Manager





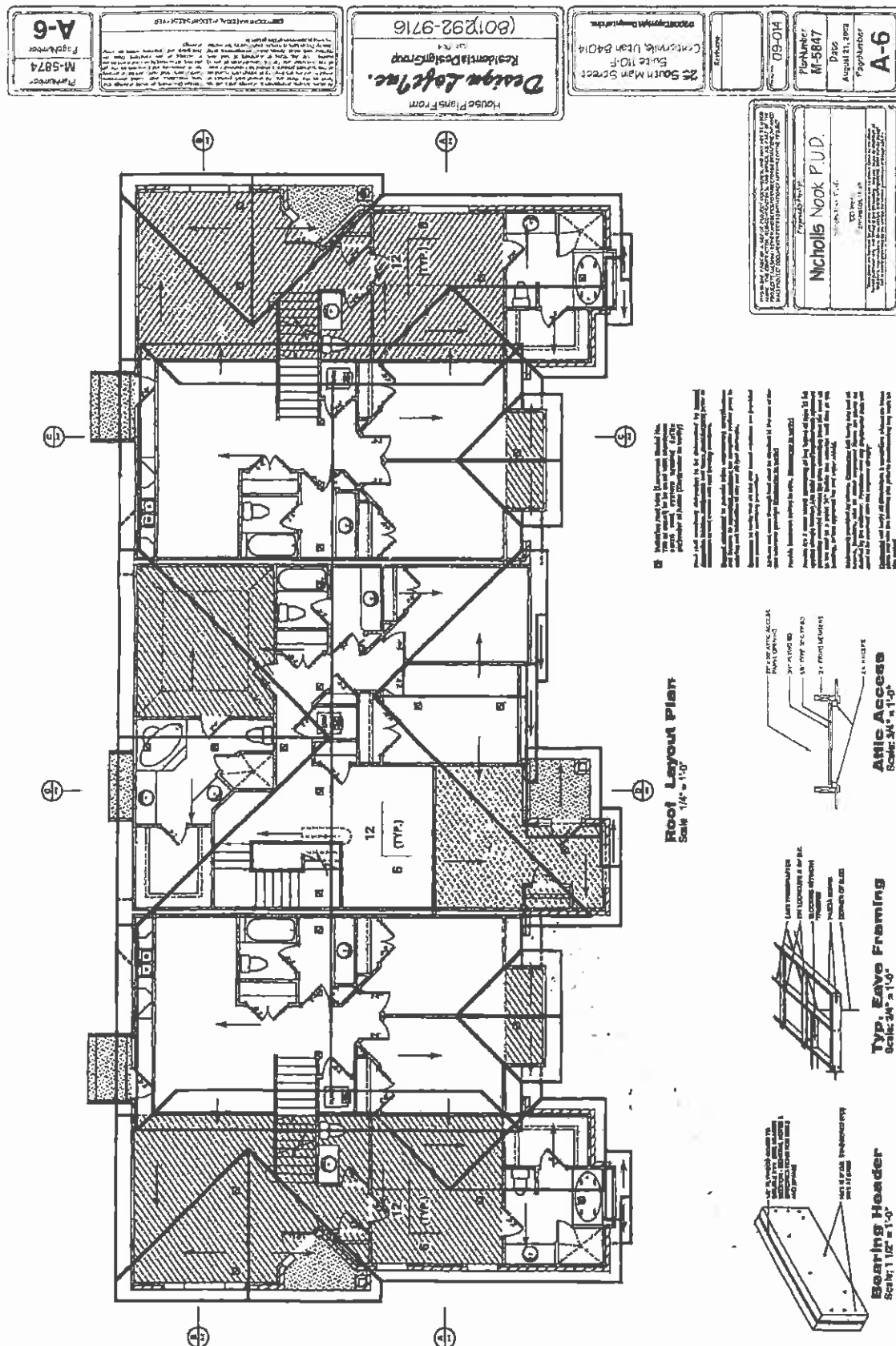




EXHIBIT B

CITY COUNCIL AGENDA

For Council Meeting:
April 19, 2016

S U B J E C T: City Council Committee Reports

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

City Council members will give a report on the varies committees they serve on.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
April 19, 2016

S U B J E C T: City Manager Report

1. Executive Summary for Planning Commission held March 10, 2016
2. Executive Summary for Planning Commission held March 17, 2016
3. Executive Summary for Planning Commission held April 7, 2016
4. Fire Monthly Activity Report for March
5. Hiring of City Lobbyist on Trial Basis
6. Complaints on Deer Population - DWR Work Session Dates
7. Cabelas Grand Opening – April 21st at 10am

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
DOUG ANDERSON
JOHN BILTON
BRIGHAM MELLOR
CORY RITZ
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Eric Anderson – Associate City Planner

Date: March 21, 2016

SUBJECT: EXECUTIVE SUMMARY- PLANNING COMMISSION HELD MARCH 10, 2016

RECOMMENDATION

No action required.

BACKGROUND

The following is a summary of Planning Commission review and action on March 10, 2016 [note: six commissioners attended the meeting— Acting Chair Alex Leeman, Dan Rogers, Heather Barnum, Connie Deianni, Bret Gallacher, and Kent Hinckley; commissioner Rebecca Wayment was excused.

Item 3 Jerry Preston – (Public Hearing) Applicant is requesting preliminary plat approval for the Residences at Farmington Hills (P.U.D) Subdivision consisting of 23 lots on 44.3 acres located at approximately 300 East between 100 and 400 North in an LR-F (Large Residential - Foothill) zone. (S-8-15)

Voted to approve the preliminary plat as written the staff report with an amendment to condition 10 as follows:

10 – The applicant shall set aside necessary land, as negotiated with the City Manager and approved by the City Council, to accommodate the City's water tank and provide all necessary easements to ensure no portion of the City water facilities are outside of said easements including but not limited to off-site water-lines connecting to 200 East.

Vote: 6-0

Respectfully Submitted

Eric Anderson
Associate City Planner

Review & Concur

Dave Millheim
City Manager



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

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CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Eric Anderson – Associate City Planner

Date: March 21, 2016

SUBJECT: EXECUTIVE SUMMARY- PLANNING COMMISSION HELD MARCH 17, 2016

RECOMMENDATION

No action required.

BACKGROUND

The following is a summary of Planning Commission review and action on March 17, 2016 [note: five commissioners attended the meeting— Acting Chair Alex Leeman, Dan Rogers, Heather Barnum, Connie Deianni, and Kent Hinckley; commissioners Rebecca Wayment and Brett Gallacher were excused.

Item 3 Russell Wilson / Symphony Homes (Public Hearing) – Applicant is requesting a recommendation for schematic plan approval for the Pheasant Hollow Subdivision consisting of 10 lots on 4.55 acres located at approximately 700 South and 50 East in an R (Residential) zone. (S-4-16)

Voted to recommend that the City Council approve the schematic plan subject to all applicable Farmington City ordinances and development standards and the following condition: the applicant shall provide a reciprocal access easement for the private road that accesses Lots 6, 7, 8, & 9 and have this access recorded against the property prior to final plat.

Vote: 5-0

Item 4 Nate and Anna May (Public Hearing) – Applicant is requesting a recommendation for schematic plan approval for the Owl's Landing Subdivision consisting of 5 lots on 2.17 acres located at approximately Glover's Lane and Shirley Rae Drive in an AA (Agricultural Very Low Density) zone. (S-3-16)

Voted to recommend that the City Council deny the schematic plan as written in the staff report under alternative motion A, with the findings as listed therein. The Planning Commission felt that this was not a good use of the TDR ordinance and that there were too many problems with developing this site at a higher density than the AA zone allows.

Vote: 5-0

Item 5 Sage Bubak (Public Hearing) – Applicant is requesting conditional use approval for an equestrian facility (minor commercial outdoor recreation) consisting of 1.58 acres located at 732 West 500 South in an AE (Agriculture Estates) zone. (C-7-16)

Voted to approve the conditional use permit as written in the staff report, striking condition 6 regarding the requirement of an extension agreement related to improvements on 500 South.

Vote: 5-0

Item 6 Miscellaneous, correspondence, etc.

- a. Jerry Preston/ Homes (Public Hearing) – Applicant is requesting to place a detached accessory building (garage) in a side yard, and a special exception for a driveway that will be accessing more than one lot for property located at 9 S. Sunset Drive in an LR-F (Large Residential – Foothill) zone.

Voted to approve both of these items as written in the staff report.

Vote: 5-0

Respectfully Submitted



Eric Anderson
Associate City Planner

Review & Concur



Dave Millheim
City Manager



FARMINGTON CITY

H. JAMES TALBOT
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JOHN BILTON
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DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Eric Anderson – Associate City Planner

Date: April 8, 2016

SUBJECT: EXECUTIVE SUMMARY- PLANNING COMMISSION HELD APRIL 7, 2016

RECOMMENDATION

No action required.

BACKGROUND

The following is a summary of Planning Commission review and action on April 7, 2016 [note: six commissioners attended the meeting—Chair Rebecca Wayment, Alex Leeman, Dan Rogers, Heather Barnum, Connie Deianni, Rebecca Wayment, and Kent Hinckley. Excused commissioner was Bret Gallacher.

Item 3 Pete Smith / Advanced Solutions Group – Applicant is requesting preliminary plat approval, and a recommendation for final PUD master plan approval, for the Meadows at City Park Phase II Subdivision consisting of 14 units on 2.37 acres located at approximately 55 South and 200 West in an R-4 zone. (S-12-15)

Voted to approve the preliminary plat and recommend that the City Council approve the final PUD master plan as written in the staff report.

Vote: 6-0

Item 4 Kameron Spencer / Fieldstone Homes – Applicant is requesting final plat approval for the Farmington Park Phase III Conservation Subdivision consisting of 37 lots on 12.42 acres located at approximately 925 West Glover Lane in an AE (Agricultural Estates) zone. (S-32-15)

Voted to approve the street tree plan and recommend that the City Council approve the final plat as written in the staff report.

Vote: 6-0

Item 5 Bryan Turner / Davis School District (Public Hearing) – Applicant is requesting conditional use and site plan approval for the new Farmington High School consisting of 48 acres located at 650 West Glover Lane in an AE (Agriculture Estates) zone. (C-3-16)

Voted to approve the conditional use permit as written in the staff report and delegate final site plan approval to staff.

Vote: 6-0

Item 6 Dan Nixon / Northcom 51 (Public Hearing) – Applicant is requesting conditional use and site plan approval for the Cubes Self Storage consisting of 2.18 acres located at 761 North Lagoon Drive in a CMU (Commercial Mixed Use) zone. (C-16-15)

Voted to approve the conditional use permit as written in the staff report with a change to condition 2 and adding condition 5 as follows:

2 – The hours of access for the operation are limited to 6 a.m. to 11 p.m. for the gate and 8 a.m. to 6p.m. for the office, 7 days a week;

5 – The approval is subject to a zone text change of Section 11-28-220(2) of the Zoning Ordinance allowing for steel paneling to be used on the exterior walls.

Vote: 6-0

Item 7 Farmington City (Public Hearing) – Applicant is requesting conditional use and site plan approval for a community garden consisting of 3.37 acres located at 541 W. Rigby Road in an AE (Agriculture Estates) zone. (C-8-16)

Voted to approve the conditional use permit as written in the staff report with an amendment to condition 2, and the added conditions 6 and 7 stating the following:

2 – The hours of operation are limited to 6 a.m. to 9 p.m. 7 days a week;

6 - That the conditional use permit be active until November 30, 2016, and after that date the Planning Commission will revisit the application;

7 – A Community Garden Committee shall be formed as an advisory ad hoc body to the City.

Vote: 6-0

Respectfully Submitted



Eric Anderson
Associate City Planner

Review & Concur



Dave Millheim
City Manager



Farmington City Fire Department

Monthly Activity Report

March 2016



Emergency Services

Fire / Rescue Related Calls: 23

All Fires, Rescues, Haz-Mat, Vehicle Accidents, CO Calls, False Alarms, Brush Fires, EMS Scene Support, etc...

Ambulance Related Calls: 58 / Transported 33 (57%)

Medicals, Traumatic Incidents, Transfers, CO Calls w/ Symptomatic Patients, Medical Alarms, etc...

Calls Missed / Unable to adequately staff: 5

Urgent EMS Related Response Times (AVG): 4.4 Minutes GOAL 4 minutes or less (+.4 min.)

Urgent Fire Related Response Times (AVG): 7.2 Minutes GOAL 4 minutes or less (+ 3.2min.)

PT Department Man-Hours (based on the following 24-day pay period / March 4th & March 18th)

Part-Time Shift Staffing:	1,394	Budgeted 1,394	Variance -0
Part-Time Secretary:	86	Budgeted 80	Variance + 6
Part-Time Fire Marshal:	80	Budgeted 80	Variance + 0
Full-Time Captains:	N/A	48/96 Hour Schedule	Variances / Overtime + 62
Full-Time Fire Chief:	N/A	Salary Exempt	
Training & Drills:	188		
Emergency Callbacks:	206	FIRE 57 Hrs. / EMS 143 Hrs. (YTD) 762	
Special Event Hours:	0	(YTD) 40	
Total PT Staffing Hours:	1,914	(YTD) 6,021	

Monthly Revenues & Grant Activity YTD

Ambulance (February 2016):	Month	Calendar Year	FY 2016
Ambulance Services Billed:	\$52,305.11	\$101,567.83 YTD	\$437,878.58
Ambulance Billing Collected:	\$36,533.51	\$65,592.18 YTD	\$218,908.48
Variances:	-\$15,771.60	-\$35,975.65 YTD	-\$218,970.10
Collection Percentages:	69%	64%	50%

Grants / Assistance / Donations**Grants Applied For:**

<i>None</i>	\$0	\$24,500 YTD
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Grants / Funds Received / Awarded:

<i>Paint & Services for Fire Prevention Vehicle</i>	\$400	\$900 YTD
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Scheduled Department Training (To Include Wednesday Evening Drills) & Man Hours

Drill # 1– Officers Monthly Meeting & Training:	12	
Drill #2 – EMS – Rescue Taskforce Part 1	48	Avg. Wednesday Night Drill Att.
Drill #3 – FIRE – Driving / Size-up / Report	42	FFD Personnel This Month: 14
Drill #4 – FIRE – Roof Operations / Offensive	42	
Drill #5 – FIRE – Roof Operations / Defensive	42	

Other:

<i>Inspections / Special Training Assignment*</i>	64
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<i>Gordon Graham Short Presentation x 2</i>	6
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<i>Curt Varone / Disciplinary Challenges x4 / 2 day</i>	64
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Total Training / Actual Hours Attended:	324	1,020 HRS YTD
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Fire Prevention & Inspection Activities

New Business Inspections:	QTY	
	8	
Existing Business Inspections:	21	
Re-Inspections:	30	
Fire Plan Reviews & Related:	190	(Updating Databases)
Consultations & Construction Meetings:	57	
Station Tours & Public Education Sessions:	16	32 YTD

Health, Wellness & Safety Activities

Reportable Injuries:	QTY	
	0	0 YTD
Physical Fitness / Gym Membership Participation %	100%	
Chaplaincy Events:	2	

FFD Committees & Other Internal Group Status

Process Improvement Program (PIP) Submittals:	0	0 YTD
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Additional Narrative:

Another busy month with a lot of training classes in the mix. Emergent EMS response times averaged 4.4 minutes and Emergent FIRE response times averaged 7.2 minutes. Five calls resulted in "no-staffing" or "short-staffing" of apparatus (on-duty crew attending to other calls and/or part-time staffing not available due to availability). 57% of all Ambulance calls resulted in transporting patients to Hospitals. Collections of revenues continue with little predictability due to collection & mandated billing variables. Full-time staffing hours exceeded typical parameters as to accommodate mandated city training in addition to various mandated department training courses. Again, plan reviews, construction consultations, new and ongoing business inspections continue to exceed our capabilities; however, we are doing everything possible to maintain our delivery of service. We have addressed some of these needs within our FY2017 budget proposal.

In-house training focused leadership and development training to include a two-day conference with Curt Varone – renowned public safety attorney. Other training courses for leadership group members included Arson Investigation Certification completion, Trench Rescue Technician completion and several other miscellaneous training course to include Gordon Graham presentation. Regular operations training encompassed EMS – Rescue Task Force (RTF) training (Part 1) which enables FFD Medical personnel to respond to violent incidents, such as Active Shooter incidents to rapidly mitigate life threatening injuries to civilians and public safety personnel. FIRE training included driving operations with incident size-up evolutions. FFD also had a chance to perform commercial building fire suppression activities in conjunction with Station Park & Hyatt Hotel. This training focused on roof-top operations and defensive master stream applications with the ladder truck. FFD plans to participate in weekly training exercises with Lagoon in April. This training will identify all critical ladder truck placement locations within Lagoon. This ladder truck will play a vital role in victim rescue operations in the event a ride gets stuck or fails. FY 2016 has proven to be a difficult year regarding unexpected repairs for fire apparatus. While replacing a fuel sending unit on the Brush truck, a head gasket failure was identified that required immediate repair in the sum of \$5,000. This sudden failure came as a surprise as this engine only has 20K miles (out of warranty) and has run without problems. This repair comes with a two-year warranty - expense will be adjusted on the FY 2016 budget.



FFD attended another Fruit Heights council meeting at which time the service proposal for Fire & EMS Ambulance service was tabled. More to come...



FFD initiated the first steps to renew its Fire Wise community status within Farmington. FFD is hosting its 1st annual "Fire Wise Open House" Saturday April 30th from 10 AM through 2 PM. Hosting this public education session in conjunction with the Department of Natural Resources (DNR) meets the expectations for the program which in-turn qualifies FFD for grant funding to offset and/or cover newly imposed fees set by the state. Note: Farmington also receives credit for its annual spring cleanup programs! FFD will also continue to identify areas within Farmington for fuel reduction projects.



The Annual "Safe Kids Coalition Safety Fair" is being held at the Legacy Events Center Saturday May 7th from 10 AM through 2 PM. Farmington FD, PD and Recreation are participants of this program and are honored to help promote this event. We anticipate over a thousand children in attendance.



Our public education vehicle (repurposed police car) is near completion and already being utilized for Auxiliary Response Vehicle, Business Inspections and Public Education events to include upcoming Fire Wise Open House and Safe Kids Coalition Safety Fair!

This project was made possible by the following sponsors:

- Burt Brothers
- Ray's Muffler
- Jack Harris Paint & Auto Body
- Larry H Miller Chrysler Jeep Dodge
- Alpha Graphics
- Farmington Firefighters Association
- Apparatus Equipment & Services
- Several Others - Pending



Please feel free to contact myself at your convenience with questions, comments or concerns:

Office (801) 939-9260 or email gsmith@farmington.utah.gov

Respectfully,

Guido Smith
Fire Chief

Farmington City Fire Department - Proud Protectors of Your Life and Property - Since 1907

Urban Deer Control Rule R657-65 Summary

Procedure:

1. Municipality must:
 - a. Demonstrate deer are causing significant damage or threatening public safety
 - b. Pass an ordinance prohibiting deer, elk and moose feeding
 - c. Provide proof of \$1,000,000 general liability insurance
 - d. Agree to provisions of the Utah Governmental Immunity Act
 - e. Provide estimate of population of resident deer, and target number of deer after removal efforts
2. Municipality applies for Certificate of Registration (COR) and demonstrates completion of #1a-e above (COR Application Forms are Available at the DWR website, wildlife.utah.gov)
3. Municipality will develop an urban deer control plan with input from the following:
 - a. Utah Division of Wildlife
 - b. Public
 - c. Interested businesses and organizations
 - d. Local, state and federal governments
4. Urban deer control plan must address at a minimum:
 - a. Lethal methods of take that may be used to remove deer and conditions under which each may be employed
 - b. Conditions and restrictions of baiting and spotlighting
 - c. Persons eligible to perform deer removal activities and requirements imposed on them
 - d. Locations and time periods of deer removal activities
 - e. Tagging requirements
 - f. Protocols for carcass removal and disposal
 - g. Procedures for returning antlers to Division of Wildlife
 - h. Seek Division authorization on any live capture and relocation component of the plan.
 - i. Estimate of current population and target population objective
5. Municipality will hold a public meeting to take and consider input on the draft plan before implementation
6. Plan is appended to the COR, which is valid for three years

APPLICATION

for Certificate of Registration (COR) FOR URBAN DEER CONTROL PLAN (R657-65)

Initial Application

FILL OUT COMPLETELY AND LEGIBLY

1. **APPLICANT** (name and complete address of city for which COR is requested):

CITY REPRESENTATIVE:

TITLE:

2. **COMPLETE THE FOLLOWING FOR CITY REPRESENTATIVE:**

Work Phone: _____

Email address: _____

3. **PURPOSE:** Design, create, and administer an urban deer control plan. City must meet the following eligibility requirements to apply:

- ☐ Resident deer are collectively causing significant damage to private property or threatening public safety within the city's incorporated boundaries.
- ☐ City has passed an ordinance prohibiting the feeding of deer, elk, and moose.
- ☐ City has general liability insurance in the amount of \$1,000,000 or more.
- ☐ City will hold harmless and indemnify the Division against all claims or damages arising from its deer removal activities.

4. **URBAN DEER CONTROL PLAN WILL CONSIDER THE FOLLOWING TYPES OF REMOVAL:**

- ☐ Lethal
- ☐ Non-lethal

5. **DEER POPULATION:**

Current population estimate: _____

Target number for managed resident population: _____

6. **REQUESTED BEGINNING AND ENDING DATES FOR COR:**

Beginning: _____ Ending: _____

The Division of Wildlife Resources maintains authority to set dates, number and sex of deer to be removed for all urban deer management plans and will be directly involved with any non-lethal removal.

7. **Submit application to:**

**WILDLIFE REGISTRATION OFFICE
1594 WEST NORTH TEMPLE, SUITE 2110
BOX 146301
SALT LAKE CITY, UT 84114-6301**

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH ADMINISTRATIVE RULE R657-65 AND THAT I ACCEPT ANY AND ALL LIABILITY RESULTING FROM THE ISSUANCE OF A CERTIFICATE OF REGISTRATION. I FURTHER CERTIFY THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A COR IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND ANY FALSE STATEMENT HEREIN MAY RESULT IN THE APPLICATION BEING DENIED.

Applicant signature _____

Title _____

Date _____

City Deer Survey

For the next three questions tell us whether or not you agree with statements about deer in town. Circle your answers. Please pick the answer that most closely reflects your views.

1. There are too many deer inside the city limits.

Strongly Agree
Agree
Neutral
Disagree
Strongly Disagree

2. Something needs to be done to reduce the number of deer in town.

Strongly Agree
Agree
Neutral
Disagree
Strongly Disagree

3. The deer are native to Utah so we should learn to live with them.

Strongly Agree
Agree
Neutral
Disagree
Strongly Disagree

For the next few questions, we want to know which specific problems, if any, you believe are occurring as a result of the deer population within city limits.

4. Vehicle collisions with deer are a

Serious Problem
Moderate Problem
Slight Problem
Not a Problem

5. Deer causing damage to gardens or landscaping is a

- Serious Problem
- Moderate Problem
- Slight Problem
- Not a Problem

6. Confrontations between deer and people or pets are a

- Serious Problem
- Moderate Problem
- Slight Problem
- Not a Problem

7. General mess left by deer in people's yards is a

- Serious Problem
- Moderate Problem
- Slight Problem
- Not a Problem

For the next three questions we'll ask for your views about possible solutions to the deer population in Town. Please pick the answer that most closely reflects your views

8. The capturing and relocating deer is an acceptable solution to the problem

- Strongly Agree
- Agree
- Neutral
- Disagree
- Strongly Disagree

9. The capturing, euthanizing and donating the deer meat is an acceptable solution to the problem

- Strongly Agree
- Agree
- Neutral
- Disagree
- Strongly Disagree

10. Allowing a limited number of trained and certified archery hunters to lethally remove deer from city approved sites is an acceptable solution to the problem.

Strongly Agree

Agree

Neutral

Disagree

Strongly Disagree

11. How many deer to you think are an acceptable number living within city limits?

0

1 - 10

11 - 20

20+

CITY COUNCIL AGENDA

For Council Meeting:
April 19, 2016

S U B J E C T: Mayor Talbot & City Council Reports

1. Miss Farmington Community Service Interviews

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.